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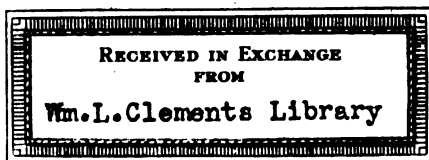
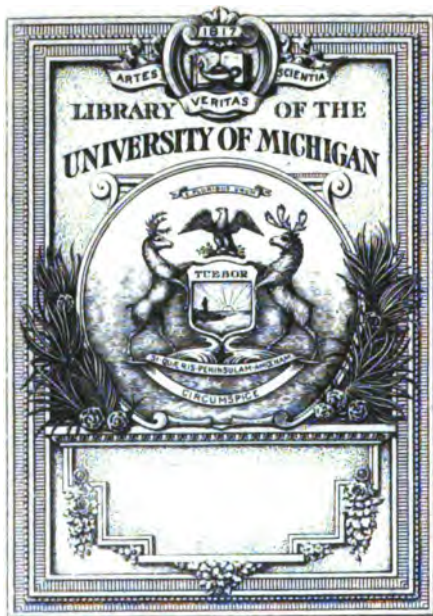
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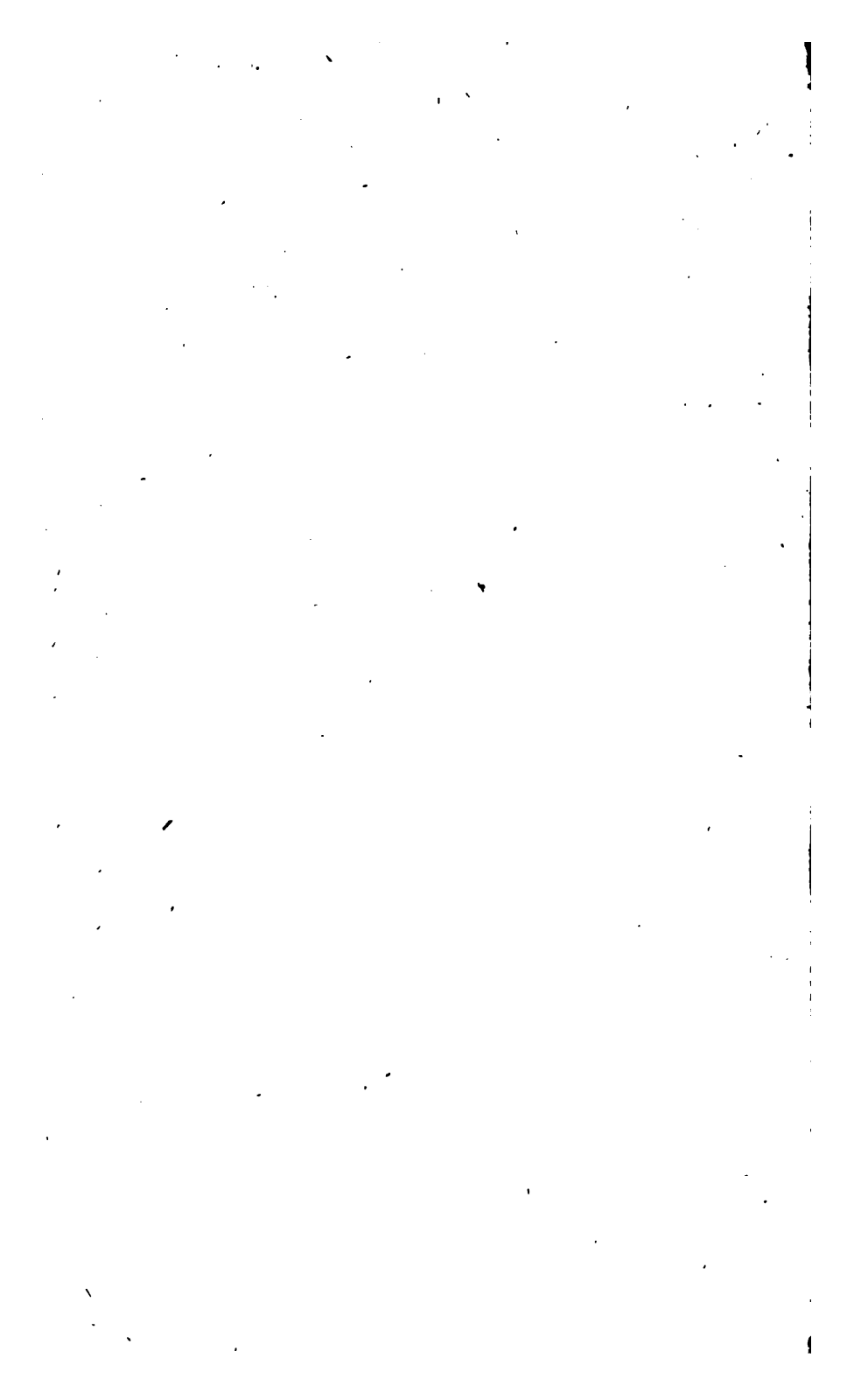
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**O F**

**G R E A T B R I T A I N.**

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**V O L. XXXV.**

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IN THE  
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**THE  
HISTORY  
OF THE  
PROCEEDINGS AND DEBATES  
OF THE  
HOUSE OF COMMONS,  
In the THIRD SESSION of the  
Seventeenth Parliament of GREAT BRITAIN,  
Appointed to be holden at WESTMINSTER,  
On THURSDAY the 25th of NOVEMBER, 1790.**

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*Monday, 4th March, 1793.*

**A****FTER** the private business, which chiefly consisted in receiving excuses from the Members who could not attend the call, the order of the day for taking Mr. Sheridan's motion into consideration was called for, and that gentleman was not present.

Mr. LAMBTON said, that his honourable friend had been informed that the excuses would take up from four to six o'clock, and therefore he did not feel it necessary to attend before that time.

After waiting a few minutes, Mr. THORNTON rose to move that the House should adjourn. He felt the utmost respect for the honourable gentleman; but still he thought that House should not be kept waiting for any individual.

Mr. FOX said, he could not pretend to justify his honourable friend for not attending at the proper time, nor would he

oppose the motion of adjournment : he thought it was a precedent of punctuality which it would be very proper to establish ; but he hoped, in carrying it into execution, no partiality would be shewn, and that no person, whatever his situation might be, should have any claim upon the indulgence of the House after the time appointed for public business to commence.

Sir HARRY HOUGHTON contended that an exception should be made in favour of His Majesty's Ministers.

Mr. Chancellor PITT appealed to the House whether he had ever failed in punctuality during the present session ; but at the same time, he said, that business of an unforeseen nature did sometimes so occur, which must render it impossible for Ministers to be so very exact. — [Mr. Sheridan entering the House at that moment, the order of the day was read.]

Mr. SHERIDAN said, he begged a thousand pardons for having kept the House waiting so long ; but he understood that the House were to be occupied in receiving excuses from Members for absence on the day of call, and that that business would not be over until after six o'clock. He had been stopped too on his way by upwards of fifty petitions, which had been put into his hands, from the Royal Burghs of Scotland, respecting their internal government, and he should beg leave to present them to-morrow, and he hoped for the attendance of the House, and particularly that of the right honourable gentleman (Mr. Dundas), who had such a share in the former discussions upon that subject. He should now proceed to the subject of the motion which he intended presently to submit to the House, the object of which would be to appoint a Committee to inquire into the truth of the reports of sedition in this country—reports, whatever some might think of them, he was sure were calamitous in their effects to this country, and might become more so, if not checked in time. He should not attempt to prove, in this place, that there never existed any sufficient reason for apprehending the danger of the sedition, or that there had not been any act of insurrection in any part of the kingdom, to warrant the propagation of such reports : it was well known that there never was any thing of that sort of consequence enough to merit the description which had been given of it, or to create the alarm which followed ; at least

that was the opinion he had formed upon the subject. However, he perhaps might be obliged to retract that opinion in consequence of the proofs that might be brought forward before the Committee of Inquiry, for which he intended to move; if that should happen to be the case, he should be glad to see that Ministers had only done their duty in spreading an alarm at a time of real danger, and should be glad to praise them for their vigilance, however he might deplore the necessity that gave it birth. When he said he should move for a Committee to inquire into those things, he did not wish to say any thing upon the effect of such inquiry at present; his object was to know in what situation this country really was, and also to know whether the language made use of by His Majesty's Ministers upon the subject of sedition, conspiracy, and treason, was not at least premature at the time it was uttered, and consequently that nothing had happened in this country that could justify Government in the steps they had taken, and the proceedings they instituted; at present, however, he had the satisfaction, as he really believed the House had, of thinking that these reports were ill founded: to remove all doubt, however, upon that subject, and to obtain complete information, were the objects of his motion. Parliament met early in December last, and they were called together in a very extraordinary manner; this of itself was matter of alarm to the country; for they naturally concluded that it would not have been so assembled, had there not been strong reasons for it. We were then under the apprehension of a foreign war. From that very moment Parliament seemed so taken up with that object, that they lost all curiosity with respect to the internal situation of this country: they took it for granted that every thing that was said by Ministers was true upon the subject of sedition lurking in the country at the beginning of the session: they took it for granted, too, that every step taken to check it was just: this was a fraud upon the Public, and the House ought to feel it so, for he really and in his conscience believed that the alarm was spread for the express purpose of diverting the attention of the Public for a while, and afterwards leading them the more easily into a war. He must now beg leave to observe upon the nature of the confidence which that House should place in the assertion of the King's Ministers at any

time, more especially when they were about to involve the country in the calamities of war, and of the effect of extending that confidence. When Ministers came to that House, and called upon it to strengthen the hands of Government, they were always bound to explain to that House the real motives they had for asking for that assistance, in order that the House of Commons, as the representatives of the People, might be able to tell that People, whose lives and money were to be expended, the reasons why they were to be deprived of the rights they had before enjoyed; for he would maintain it as a maxim, that to strengthen the hands of Government was necessarily, for a time, to weaken the rights of the People; and he would follow that observation up, that to strengthen the hands of Government in carrying on a foreign war, without informing the People of the real state of our country, was making mere machines of them, was a conspiracy against the Constitution, and was laying down a plan by which their liberty might be lost for ever.

With respect to the late supposed sedition in this kingdom, and of that supposed temper for insurrection, and of the lurking treason of which we heard so much by hints and conjectures, there were three circumstances to be considered, and three points of view in which the subject might be placed. The first was, that the danger in this country had been real: secondly, that the danger was not real, but that the whole was a false alarm, really entertained by Government, the effect of a delusion successfully practised upon them; in which case the propagation, on their part, although unfortunate, was yet honest. The third was, that the whole was founded on a systematic plan, laid by Government for deluding the sense, and finally subduing the spirit, of the People. It was, in his opinion, the duty of Parliament to regard the subject in either of these three points of view; but he could not perceive any other in which it could be properly regarded; and he saw in all of them no way of proceeding with propriety but by instituting a Committee of Inquiry. Let us suppose, for instance, the whole evil was really felt as Ministers had described at the beginning of the session. What then would follow? Most certainly the adoption of a Committee of Inquiry, in order that a plan should be laid for our future safety. What was the



next thing to be attended to, and the next view of the subject, supposing that Ministers really apprehended danger, although in truth there had not existed any? Most certainly that a Committee should be appointed to inquire, and that they might make their report upon the situation of the country, announce it to be in a state of safety, and calm the apprehensions of the Public. In the third point of view, that supposing the whole to be a mere device on the part of Government, for the purpose of leading the People the more easily to a war with France, by persuading them that there are at this moment many agents from France, who are doing every thing they can to disturb the peace and internal tranquillity of this country; again he must say, that a Committee should be appointed to inquire, in order that the Public should know the deception which had been practised on them, and that if the war had been so commenced, the People should be enabled to employ the means of declaring to the Throne their sentiments upon that subject.

Mr. Sheridan observed, that we were at war with a great, a powerful, and hitherto victorious Republic—it was idle to conceal the truth—and he added, that there was not in that House, or in this country, any man who wished more sincerely than he did that we might be able to check them in their career, at the same time he certainly characterised them aright at present. He then came to the accounts which had been given, or rather the hints which had been thrown out by His Majesty's Attorney General at the beginning of the present session of Parliament, concerning the plots and conspiracies that were said to be formed in this country; but had any thing of this been proved? Not a syllable. But this made part of the system adopted by Government; and the Public were to be alarmed at the apprehension of the progress of French principles, in order that they might the more readily be induced to go to war with the French; and by the conduct of the worthy gentlemen of the associations the people of this country were called upon to revile the French in expressions, and to follow their system in practice, namely, to establish a government by clubs. He wished the House to reflect on what was likely to be the result of all this. The people of this country were accused of a spirit of disaffection; many plots and conspira-

cies were said to be hatched ; and now he, in his conscience, believed there was not an iota of truth in any part of the charge to justify the apprehension which Government expressed at the commencement of the session. What was to be done ? Institute a Committee of Inquiry ; for if there was any of this treason or conspiracy lurking any where, all he could say was, that it remained at this hour as undiscovered as at the first moment when it was apprehended to be formed. These associations were formed, as it was said, for the protection of persons and property against republicans and levellers ; and what were they about to do, and what in fact had they been doing ? First of all, they had been employed to prevent the circulation of Mr. Paine's book, and the Jockey Club, and to bring to punishment the distributors of those publications---works which had for many months been spread all over the country by the connivance, as he might say, of His Majesty's Ministers, and this too when one of those very Ministers had an opportunity of reflecting on the impropriety of such publications, who had himself formerly indulged a disposition not to treat the high powers of this country with that respect which was due, and had, no doubt, repented of that temper, and thoroughly changed his sentiments. What care I for the King's birthday---what is the King's birth-day to me ? or some such coarse expression, had, he believed, been uttered by a noble Duke some time since. What, he asked, had appeared of late to justify our dreadful apprehensions ? He was not sure that Ministers felt any alarm at the time that they were endeavouring to alarm the country ; for how did the Chancellor of the Exchequer act ? In the course of the summer he proceeded with due solemnity to take the weight on himself of the laborious office of Warden of the Cinque Ports, and he conducted himself in that situation in a manner equally pleasing to his hosts and to his guests, and returned to town without any great apprehension of danger ; but as the meeting of Parliament approached, things became more and more alarming, until at last the whole country was said to be threatened with destruction. The whole of this was a panic created by Ministers, for the purpose to which he had alluded before ; this he felt no difficulty in saying, and he called on Ministers to deny it : he was so well convinced of the truth of it, that he would

venture to affirm, that if all the magistrates appointed under the new Police bill were to appear at the bar of that House, they would not be able to give one instance of the existence of that sedition which Ministers had so-often adverted to in calling upon the House to support them. All he requested of the House was, that a Committee of Inquiry should be appointed, or of Ministers, if they said that such a Committee was unnecessary, to confess that they themselves had been deceived upon the subject, and that what they advanced upon that topic some time since, they were now ready to retract. This, he said, was due to the Public; for the people of this country ought not to be practised upon by fraud; they were a generous and a brave people; and he believed that if this country were to be invaded by a foreign enemy, it would only increase our energy, and stimulate our exertion. He must therefore say, that, to accuse them of seditious motives, was highly unjust, as well as indecent. This panic had already had a great effect; and, indeed, it was much too general an impression to proceed from real danger; a general panic was always created by phantoms and imaginary evils. It had been always so in the panics of armies, for instance; he believed that there was not once to be found in history an instance in which the panic of an army had proceeded from real danger; it had always proceeded either from accident or some stratagem of the enemy. Indeed the thing bore evidence for itself; had the danger been real, there must have been a difference of opinion as to the amount of it; for while there was a difference in the size and character of the understandings of men, there must be a difference in their opinions; but those who believed any thing upon the tales of sedition which he had before alluded to, believed every thing that was said about it, and that of itself proved its falacy.— There were numerous instances recorded both in prose and verse where nations had been misled and had acted upon such false alarms. There were many instances in which a panic had been communicated by one class of men to the other.

—— Sic quisque pavendo

Dat vires famæ: nulloque auctore malorum

Quæ fixere, timent. Nec solum vulgus inani

Perçussum terrore pavet: Sed curia, et ipsi

Sedibus exiluere patres, invisaque belli  
Consulibus fugiens mandat decreta senatus.

His friend (Mr. Windham) had been panic-struck, and now strengthened the hand of Government, who, last session, agreeable to a vulgar adage, "Rolled His Majesty's Ministers in the dirt." At that period he would pull off the mask of perfidy, and declaimed loudly against that implicit confidence, which some had argued ought to be placed in Ministers. He now thought such arguments were impolitic, and no man was more strenuous for that confidence which he had before with so much warmth reprobated. Another friend, Mr. Burke, to whose doctrines Mr. Windham had become a convert, had also been panic-struck. He had been so affected, that he saw nothing but a black and clouded sky; a bleak opposition, where there was not a shrub or bush to shelter him from the gloomy aspect of public affairs; but he had taken refuge in the ministerial gaberdine, where he hoped for security from the approaching storm.

He had now dismissed the two first parts of the subject, and he therefore came to the question, whether Ministers had spread those alarms, for purposes which they did not avow; it would be with great reluctance, that he should put that construction upon their conduct; but there had been such encouragement given to reports of a certain nature, that he hardly knew how to avoid saying, that these alarms were created for very dangerous purposes: indeed, he could not refrain from saying, that there appeared on the part of His Majesty's Ministers, first, a desire to inflame the minds of the people to prepare them to go to war with France; secondly, an inclination to divert the public mind from the question of parliamentary reform, for the purpose of concealing the apostacy of certain individuals, who do not chuse to be put to the test, and tried by the public upon the standard of their own professions. As to the first of these points, namely, that of inflaming the minds of the people of this country, in order to prepare them for a war with France, Mr. Sheridan said, he need only refer to the speech of the right honourable gentleman himself (Mr. Pitt,) who had said, at an early stage of the discussion of that subject, that he believed the Public rather reproached Government for supineness, than blamed it for its promptitude in going to war. This was a

mode of bespeaking the opinion of the Public; and he could not help saying it appeared to him, from that and other things, that attempts were made, and some of them, he was sorry to say, successful ones, to inflame the public mind with regard to France. He was surpris'd to hear it said by one honourable gentleman in that House, that the only consolation that could arise from the death or murder of the late unfortunate Louis, that it would rouse the indignation and animosity of mankind against France. This was a consolation arising from inhumanity, that he did not envy; he knew there were those who did not mourn that unhappy event. There were those who did not interest themselves to avert that misfortune. But those who loved freedom, or cherished liberty, must ever deplore the transaction, because by one act they had armed despotism, and given a fatal blow to the general interests of mankind.—Such was his opinion now, and such it always had been upon that subject.

With regard to the other motive of Ministers, namely, that of diverting the attention of the Public from the question of parliamentary reform, he believed in his conscience that there was a design of that nature entertained by Ministers in this country, which had succeeded for a time; but all this was temporary, for the people were not to be deluded for ever. God forbid they should! God forbid that a brave nation should be blinded for a long time by a few individuals, and that a whole country should be false to itself, and destitute of honour, because an individual or two had betrayed their character, and because a few persons were interested in propagating false alarms. That was not to be expected; indeed the deception was too coarse in its nature to last for much length of time, and the reports were too ridiculous about plots, conspiracies, and treasons, to be long credited. How stood facts upon this occasion?—A noble Duke (the Duke of Richmond) had formerly been of opinion, that there was nothing to be seen but danger for want of a parliamentary reform; but he had so elevated himself of late upon fortifications of his own creating, and availed himself of his great power of discernment, that he was now able to discover plots, conspiracies, and treasons, under the garb of a parliamentary reform, or under any reform.—The alarm had been brought forward in great pomp and form

on Saturday morning. At night all the mail coaches were stopped; the Duke of Richmond stationed himself, among other curiosities, at the Tower; a great municipal officer too had made a discovery exceedingly beneficial to the people of this country. He meant the Lord Mayor of London, who had found out that there was, at the King's Arms in Cornhill, a debating society, where principles of the most dangerous tendency were propagated, where people went to buy treason at sixpence a head, and where it was retailed to them by the glimmering of an inch of candle, and five minutes, to be measured by a glass, were allowed to each traitor to perform his part in overturning the State. And yet coarse and ridiculous as they were, these things had their effect with the Public for a time, and they certainly did create a general impression of fear.—

Here Mr. Sheridan entered into a detail of many circumstances and stories, founded upon false alarms in several parts of the kingdom: first, when the alarm began, carts, waggons, and coaches, were said to arrive daily and hourly at the Tower, filled with traitors from different parts of the island, and Ministers were applauded for their prudence and activity in the service of the State. Not one word of truth in the whole case! Not a being brought to the Tower—not a being charged with treason! The whole was a miserable fabrication to deceive the credulous. Suspicion, indeed, had been entertained; and he believed that many letters had been stopped at the Post Office, and he had no doubt that many of his were among the number; he said he did not wish to talk of himself, but as so much had been said upon the subject of correspondence with foreign powers, and as hints were thrown out in various channels, under the direction and encouragement of Ministers, that he and others with whom he agreed on public subjects, held improper correspondence with other powers, he trusted the House would excuse him for adverting to himself, and saying, that if Government should think it worth their while, he should not, on his own part, have the smallest objection to publishing every word in every letter he ever wrote upon the subject of politics. This he did to refute at once all the calumny which had been spread upon that subject. He had not the least doubt but that he might safely say the same thing of others who had been slandered in the same way. There was a paper drawn up by

him, which he had no difficulty in saying he should be glad to avow every where, and on any occasion; and this he said in order that it might be understood that no apprehension of misconstruction should deter him from saying he wished it to be published; he was confident it was not repugnant to the principles of justice and humanity. This related to the subject of the trial of the late King of France. He said this in hopes of defeating the purposes of those who were so malicious as to insinuate, from the most unworthy motives, that there existed a faction in this country connected with its enemies. He could have wished that there should not have been any necessity for his declaring, that he abhorred the principle of the decree of the National Convention of France of the 19th of November. Nothing should have deterred him from having written his sentiments upon such subjects. Nothing, he hoped, would deter Ministers from publishing them at some future day, as there was no doubt but that they had kept copies of them, and various other letters, at the Post Office.

He then came to take notice of the manner in which Government had proceeded to create the alarm to which he had alluded. They had advertised Mr. John Frost and Captain Perry. The public were to look upon these two gentlemen as traitors. One hundred pounds each was to be given for apprehending them. One of them (Mr. Frost) was at this hour in this country, under bail, and ready for his trial, if he is to be tried; and the other was charged only with having printed in the *Argus* what the Chancellor of the Exchequer had himself delivered in a speech upon the subject of parliamentary reform. He said, he should not have mentioned these things, but to prove that great pains had been taken to carry on a system of delusion. There was another fact, which was too extraordinary to be omitted. A story had been trumped up, that there was a plan for taking the Tower by the French; after which, the whole of our constitution was to be overturned, and the Royal Family were to be murdered. At the head of this plot was to be placed that most execrable character, Marat, whom the French would have done well long ago to have removed, and which they would have been able to accomplish, had they not joined to him Robespierre, and others of a different character. This fiction was not enough; for we were told that there were certain

people in pay by the French, for the purpose of destroying as many of the people of this country as they could, and that attempts had been made to poison the New River. There was no doubt but that these things appeared now to be too ridiculous to be believed; and yet many gave credit to them, inasmuch that the proprietors of the New River were obliged to advertise in all the newspapers the falsehood of that report.— Was this no hardship, or did it not shew a shameful disposition to impose upon the Public, and to work up the people of this country into fury against the French? In farther confirmation of this, he referred the House to the gross, clumsy calumny of the various newspapers which were published from day to day, under the authority of Administration, where every thing that had any relation to the French was abused without mercy: by this the French were given to understand, for many months, that our Court was at enmity with them. This also was part of the system of delusion which had been practised, in order to bring about a rupture between the two countries.— There was one paper in particular, said to be the property of Members of that House, and published and conducted under their immediate direction, which had for its motto a garbled part of a beautiful sentence, when it might with much more propriety have assumed the whole—

———*Solem quis dicere falsum*

*Audeat? Ille etiam cæcos instare tumultus*

*Sæpe monet, fraudemque et aperta tumescere bella.*

But it was on the authority of Government alone that he rested upon, when he made these observations. An insurrection was said to be planned by corrupting the soldiers, and this turned out to be the sum of sixpence given for porter in Edinburgh: nor what the scarcity of money might be in that country, he could not tell; but this was very clear, that the system of corruption had not been carried to any very great extent. He then alluded to the burning Mr. Dundas in effigy by the people of Scotland, to which circumstance he imputed the forenness that the right honourable gentleman had displayed in the account he had given of the pretended insurrections in that country. It was said that Rotundo, a very notorious ruffian from France, had been in England, and no doubt for execrable purposes; but he was not sent here on a sanguinary embassy; but fled merely



to elude the hand of justice. There were other stories afloat at the same period equally ridiculous, and ramified into various rumours. It was said that numbers were kept in pay ; that they were drilled and disciplined in dark rooms by a serjeant in a brown coat ; and that, on a certain signal being given, they would sally forth from porter rooms and back parlours, and finally subvert the constitution. Such were the idle stories with which for months the people have been amused. There was another circumstance which struck a panic into Government, the planting the tree of liberty in Dundee. But this was like

“ Birnam wood coming to Dunfinane.”

This insurrection, as it was called, originated with a few school boys, the chastisement of whom by their master, restored them to their loyalty, and prevented them from overturning the constitution. Some persons, through a motive of indefensible humour, had written a letter to Sir George Yonge, informing him of an insurrection at Salisbury, when no such insurrection really existed. It was likewise said that there was an insurrection at Shields. The military were instantly dispatched ; but the insurrection had ceased, and the seditious insurgents were voluntarily assisting in getting off a King's ship that had run on ground. He next instanced what had been deemed a seditious tumult at Yarmouth, which was equally well founded as what he had before noticed. If Mr. Pitt was not so stiff-necked and lofty—if he condescended to mix in public meetings, he would not be apt to be led into those errors which were practised, he must suppose with too much success, on his credulity. In all the various accounts of pretended insurrections, he maintained that there was not the least proof of discontent in the public mind, or disaffection to Government in any one of these, but that the whole arose from other causes. These things entitled him to say, that there was ground for inquiry into the subject, and that an inquiry ought to take place to set the public mind at rest upon such topics. He then touched upon the addresses transmitted from patriots in pot-houses to the National Convention, a long list of which had been compiled under the auspices of the Treasury. One of them was signed by Mr. Hardy, an honest shoemaker, who little dreamt, God help him, how near he had been overturning the constitution,

He next took notice of the effect of the system of delusion in the metropolis, and the hardships under which many individuals laboured in consequence of that system; where publicans had been told by different Magistrates of the effect of their allowing any conversation upon politics in their houses; that if they conducted themselves in the least degree displeasing to the Court, they should lose their licenses; and still farther, they were asked, what papers they took in. "Do you take in the Morning Chronicle or Post?"—Yes, Sir.—"Take care there is no sedition in it; for if there is, you are liable to punishment for distributing it to your customers." There was one very particular case in this respect.—The Unicorn in Covent Garden, where a Society had long met to discuss the propriety of a parliamentary reform. The landlord was sent for to Sir Sampson Wright; the man appeared, and explained the nature of the society. Sir Sampson Wright said, it was perfectly a harmless meeting in itself, but advised him not to suffer the Society to meet again, because it might give offence to the higher powers. So that a man was not to have a newspaper which he liked, or which his customers might be desirous of seeing, nor was a harmless society to be held, because it might be disagreeable to the higher powers. He was given to understand also that every thing that had passed in his house for months was perfectly known to the Magistrates, as well as that of every other public house; for that they had agents employed for this purpose.

He then took notice of the expression of the Attorney General at the opening of this session of Parliament, of his having 200 cases to bring forward for prosecution only; a very few of whom had been at all brought forward, and many of those only booksellers for selling in the way of trade, the Rights of Man, omitting all the parts objected to by the Attorney General in the trial of Mr. Paine, and for selling Mr. Paine's Addresses to the Addressers, and the Jockey Club. Mr. Sheridan said, he had 200 cases to submit to the Attorney General, and to that House, of real hardship sustained by innocent individuals, and which he should have stated this night, but that the accidental and unexpected diligence of the Lords had called for so much of his time last week on the trial of Mr. Hastings, as not to allow him time to collect these cases, but which might

be hereafter attended to and discussed in that House. Many of them arose out of the spirit of the Alien bill—a bill in its nature oppressive—a bill, the exercise of which must soon incapacitate for ever any man from being a proper Minister of a free country. It was impossible that Ministers could know the proper objects in all cases to be sent away, and if they did not know of any such, they became constrained to send some away to save appearances, and to keep themselves in countenance. This reflection led him to take notice of the practice of erecting barracks all over this kingdom, also part of the same system, and tending with all their other measures uniformly to the point of despotism.

The next point which came to be noticed was the mode adopted on the part of the Treasury, to discover persons who distribute seditious books. This was done by means of a circular letter all over the country, from Mess. Chamberlaine and White, Solicitors to the Treasury, to various attornies, employing them as agents in this business. This, Mr. Sheridan observed, was to the last degree dangerous; because it went to the effect of placing in a situation to be tempted, a set of men not highly distinguished for superior morality, and of making them derive emolument from the litigation, which themselves, not their clients, were to create. Many Attornies, he said, had, to their honour, rejected the offer with scorn and indignation. The books chiefly to be noticed were, as he had said before, the works of Mr. Paine and the Jockey Club; he had no occasion to say any thing of these books; but neither these, nor any other books, could launch out more freely on the necessity of a Parliamentary Reform, than the speeches of Mr. Chancellor Pitt, and the Duke of Richmond; or more grossly against Kings, than the right honourable gentleman (Mr. Burke) upon former occasions. To prove this, he read passages from the noble Duke's address to the county of Suffex, and to Colonel Sharman and the volunteers of Ireland, in which he asserted that it was in vain for the people to look to the House of Commons for redress, that they could find it only in themselves; that they ought to assert their right, and not to desist till they should have established a House of Commons truly representing every man in the kingdom. From Mr. Burke's speech on his motion for leave to bring in his

bill of reform, he read a passage, calculated to represent the Peers of the realm in the most abject, degraded state. He said, he was sorry that the report was not made to the King in Council, of the conviction of persons charged with misdemeanors; if it were usual to make such a report, he should like very much to hear the observations of His Majesty's Ministers, on the cases of some of the wretched billstickers, convicted of publishing seditious libels. When the seditious passages were read, the noble Duke might say, "he borrowed" "that from the preamble to my reform bill." The right honourable gentleman might say, "that expression was stolen" "from the speech which I made, when I proposed to the" "House of Commons my plan for a Parliamentary Reform." Mr. Sheridan said, he wondered how these personages could bear their own feelings, when they knew that some poor wretches were lying upon straw in the gloom of a prison, for having published sentiments, which they had solemnly professed in and out of Parliament. The offence was the same in all, but mark the difference of the treatment? Punishment and a prison were the lot of the one set, whilst the others were honoured with places and emoluments, and seats in His Majesty's Council.

He then took notice of the principles of the Society, of which Mr. Reeves was the leader, and of all others formed upon that plan. These Societies were described by Mr. Law, in the letter which he published on the 24th of January last, in the Morning Chronicle, stating his reasons for withdrawing from that Society; and stating, amongst other things, that they proceeded against republicans and levellers upon private anonymous letters; nothing, he said, could be more infamous than such a principle.

He took notice of a sermon preached before the House of Lords, by a learned prelate, in which his Lordship complained of the folly with which people had of late suffered themselves to be carried away by a spirit of discussion about the origin of Government. The slavishness of this high church doctrine, which discountenanced inquiry, could, Mr. Sheridan said, be equalled only by the want of charity, which appeared in another part of the sermon, in which the public indignation was directed against a particular description of men (Protestant

Dissenters) who were represented as unworthy of the name of fellow Christians. He touched also upon a publication of Dr. Tatham, in which he accuses Dr. Priestley as an accomplice in the murder of the King of France, and told him, that whatever pretension he might have to reputation for abilities, he must give up his heart, which could in no light whatever be defended. Here Mr. Sheridan took notice of the disgraceful riots at Birmingham, and of the difficulties thrown in the way of payment of the money ordered by verdicts of juries upon trials for the damages sustained by these riots. But even this was exceeded by what had taken place in Cambridge, for, to such a pitch of insolent injustice had the system of political oppression been carried against publicans, that they were compelled to take an oath that they not only would not suffer political disputes in their houses, but that they would give an account of the behaviour and conversation of every republican they might happen to know or hear of. All this was infamous, but it was the effect of the panic he had so frequently alluded to; it was owing to that panic, that the Chancellor of the Exchequer objected the other day to the bringing up, and receiving of the petition from the inhabitants of Nottingham, stating the necessity of a Parliamentary Reform, a petition not half so objectionable as the Chester petition, which had been received. It was owing to that panic, that a right honourable gentleman (Mr. Burke) did not of late speak with the eloquence with which he used to command the admiration of his auditors. For now really the taste of his mind, and the character of his understanding was altered. It was owing to that panic, that another right honourable gentleman (Mr. Windham) had brought his mind to approve what his heart had for years before abhorred; he meant the erection of barracks. It was owing to that panic that that right honourable gentleman had prevailed upon himself to support a Minister, because he had a bad opinion of him. It was owing to that panic that a noble and learned Lord (Loughborough) in the other House, had given his disinterested support to Government, and had actually accepted of the seals of an administration he had uniformly reprobated from its commencement. If that noble and learned Lord acted from the same principle of the right honourable gentleman; that of supporting an Administration

because he thought it a bad one, he wished to know what his opinion must be of its profligacy, since he went so far as to accept an office under it. But above all, it was owing to that panic that the right honourable gentleman to whom he had alluded before had lost his fine taste entirely, and had become the slave of the most ridiculous pantomimic trick and contemptible juggling—and carried about with him daggers and knives to assist him in efforts of description. It was to this panic also that the milk of the Christian religion too had lost its mildness, and a spirit of intolerance had renewed its fierceness from the pulpit. He adverted to the letter signed by Mr. Windham and others, and addressed to the Whig Club, in which they signified their intention of withdrawing from the Club. Mr. Sheridan represented this letter as an effect of nothing but panic; for otherwise a gentleman could never have thought of going such lengths in favour of Ministers whom he despised and whom he could not trust, and against a man whom he affected to admire and respect. He never could have thought of withdrawing from a Club, because it had nobly resolved to resist calumny, and called upon its Members to rally round the champion of liberty against whom the envenomed shafts of calumny were directed; but who, the more he was calumniated, the dearer he must become to those generous friends, who were attached to him for his virtues and his talents. When he found the right honourable gentleman (Mr. Windham) leagued against such a man, he declared in a very impassioned tone, that though he was convinced the right honourable gentleman was by nature truly brave, he verily believed the panic which had seized him, had not only affected the clearness of his head, but also violated the integrity of his heart. He dwelt much upon the question of Parliamentary Reform, and shewed that he and his friends were blamed for having been true to those principles to which Mr. Pitt and the Duke of Richmond had found it their interest to prove false. He recommended it to his honourable friend (Mr. Grey) to persevere in his intention of making a motion for a Parliamentary Reform; but he advised him not to make any profession on the occasion; not to promise that as a man and a Minister he would support a reform; nor to say that, unhackneyed in the ways of men, he would pursue only the paths of plain

dealing and honesty; in a word, not to say that the times were not good enough for him, for all this had been said by a right honourable gentleman (Mr. Pitt) who had shewn that he was a stranger to the performance of the most solemn engagement, and that if he could not accommodate himself to the times, he would make the times accommodate themselves to him. He was sure, he said, that his honourable friend would never be found to resemble such a character; he had a lofty spirit, seated in a heart of honour; and what he was convinced was right, that he was sure he would inflexibly pursue. He concluded by making the following motion, and said that if it was adopted, he meant to follow it up with a motion for an address to His Majesty, praying that he would lay before a secret Committee of the House all discoveries made respecting seditious practices, together with all information and letters on the same subject received or intercepted.

“ That an humble address be presented to His Majesty, praying, that he would be pleased to order such communications as may have been received, as to the existence of seditious practices in this country, to be laid before a Committee of the House.”

Mr. LAMBTON rose to second the motion of his honourable friend. It was most unquestionably the duty of Ministers to have brought forward evidence to that House, and to the Public, of the plots and insurrections which had been so much talked of; and if there were in this country incendiaries and disturbers of the public peace, they ought to have been prosecuted and punished: it would have been the interest of Ministers also to have done so, and thereby to have totally confounded the unbelieving few. He alluded to the conduct of Cicero, with respect to Catiline's conspiracy, and contrasted it with that of Ministers on the present occasion: Cicero came boldly forward with a direct and precise charge, naming the whole Members of the conspiracy: Ministers on the other hand, had sheltered themselves under the general and indefinite term, “ notoriety,” without adducing a single proof; whereas truth always speaks out fairly. He charged Ministers with having given countenance to a species of inquisition of a most dangerous and tyrannical tendency. How many unjust and injurious

friend (Mr. Fox,) whose character stood in no need of any eulogium from him ; but it was so exactly and so well delineated in the passage which he was about to read, that he would gladly have rummaged many a dunghill for it ; instead, of that, however, he had found it in a delightful garden.— (He then read a paragraph from a speech of Mr. Burke's, containing a high panegyric on Mr. Fox.) His right honourable friend had been indeed, of late, the subject of perpetual abuse ; but as he did not merit it, what was intended as abuse, would in fact be commendation. He might say, in the language of Cicero, *Ego hoc onimo semper fœ, ut invidiam virtute partam, Gloriam non invidiam putarem.* Mr. Lambton proceeded to take notice of the clubs which had been so much spoken of at Derby, where no great number of persons, and they having no other object in view than the obtaining a reform in Parliament, had been magnified into 1500 republicans and levellers ; and of those at Cromer and Norwich, which were equally innocent. He next alluded to the Association at the Crown and Anchor, and to the illegal and dangerous spirit of inquisition which marked their proceedings ; and he read upon this subject, part of Mr. Law's letter, to whom his thanks were due for the honourable and proper part he had acted. He was persuaded, he said, that Ministers had no proof of the existence of any of the conspiracies or insurrections about which so great an alarm had been industriously created, otherwise they would boldly and firmly have taken the necessary steps for the safety of the country, and the protection of the public peace in such a conjuncture, trusting to secure themselves by a bill of indemnity ; but then indeed they must have come forward with some sort of proof. It appeared to him that Ministers had two objects in view by the present alarm ; one was, to get rid of a reform in Parliament, by confounding with levellers all those who professed to wish for it ; the other, to reconcile the people of this country to a war with France. He would warmly second the motion of his right honourable friend, which appeared to him highly proper and necessary.

Mr. WINDHAM said, that he felt it difficult to answer the arguments of the honourable gentleman ; since they were arguments in which he himself was peculiarly implicated. To



posed of such heterogenous materials, he should give every possible degree of method that was in his power. The honourable gentleman, Mr. Windham complained, had used the artifice too often to be met with in polemick controversy: that of changing the question, and then arguing upon it. He had talked of plots and insurrections; but the existence of plots and insurrections had never been the question. The question was the state of the country, which, in his opinion, was such as would have led to plots and insurrections. It related to seditious practices hitherto unknown, calling loudly for an effectual remedy, and amply justifying every act that had been adopted for the prevention of their farther progress. The species of insurrection stated in the proclamation, purported to be exactly what it was: and when gentlemen called for proofs of acts of positive insurrection, they called for proofs of what had never been asserted. Of the facts which had been cited, proofs had not been given, because they were deemed unnecessary.—The whole country had teemed with seditious publications; and when the state of the country had been talked of as justifying alarm, was not that fact sufficient? Another fact, no less convincing to his mind, as the foundation of national fear, was the assiduity with which those seditious publications had been circulated. To ask for proofs of the existence of those facts were as absurd as to ask for proofs of the existence of General Dumourier: and the minds of men might be as much perplexed by questions from a subtle inquirer on the one subject as on the other. Might not a man from a combination of various disconnected circumstances, receive a convincing impression of a general fact, and yet not be able to state any particular proofs of such fact? Would gentlemen be convinced by nothing less than ocular or tangible evidence of every subject of inquiry? Such reasoners no statement would satisfy; and if he should say, that there was a discontented spirit at Norwich, they might ask what judgement he could thence form concerning other parts of the kingdom? But it happened, that his conviction arose not from knowledge of so partial a nature. He had seen symptoms of a discontented spirit, not at Norwich only, but at various other places, and when people of all descriptions, from all parts of the kingdom, seemed to concur in feeling the same species of alarm, however false

particular rumours might be, such terror could not be totally unfounded; there could not exist so much smoke without fire! One of the charges, Mr. Windham observed, that had been brought forward against Government on the present occasion was, that they had for a long time meant to carry on a war against France and therefore had created the present alarm: but to that charge, no other answer appeared necessary than a reference to dates. The alarm had existed in November last, and Government did not take their first measures till December. That alarm had called forth the different loyal associations which had been so much misrepresented, but which had merited the highest praise; and none more so than that which had been so calumniated, of the Crown and Anchor; an Association, that had actually been the means of saving this country. When the honourable gentleman wondered that he who had been in the habits of acting with opposition should at present act with Administration, he hoped that the circumstance of his having long represented the state of the country to Administration, and now supported them in their measures, taken for its safety, would be considered as an evidence of his sincerity on the subject. The honourable gentleman had declared that the more uniform and universal that fear might have been, the more doubt ought there to be of the existence of real danger: but this was a new theory; and to his mind it appeared more an universality of fear, than any principle of panic which that honourable gentleman could have discovered. There was not a writer on the subject, who had not boasted that this was a new æra in the history of mankind; an æra when light was more than usually diffused, and when public opinion was beginning to be heard, and could not be resisted. Other men might form a far different judgement; they might declare that the engine of these irresistible efforts was not that of public opinion, but that it was the engine of the press, set to work by every possible art, and addressed to the passions of men, who were incapable of being actuated by an appeal to their reason. When these means had already overturned the Government of a neighbouring country from its base, ought we not to guard from such fatal effects? It had been said by the agents of Mr. Paine, that the principles which would produce the same event in this country were operating with the silence

and rapidity of thought. He firmly believed it: the fact was, some time since, to be ascertained from the general opinions of the people; from the fears of those who dreaded the event; from the sanguine expectations of those who wished it. It had been the ruin of the Government of France, that they did not adopt and carry into practice timely measures of prevention; and should we not take warning from the lamentable example of that unhappy country? Who were the Governors of France at this moment? People raised from the lowest to the highest situations, who domineered over the fairest cities: and a change in the political system of this country would throw power into the hands of characters similar to those in France who have followed the series of reformers, too many to be enumerated. Was the probability of such an event no just subject of alarm and danger? The massacres of the 2d of September were said to have been produced by a mere handful of men. If that were true, if so small a number could accomplish so extensive a mischief in Paris, guarded by armed troops, could such a city as London escape the blow? Mr. Windham then stated a report which he had heard, of clubs having been formed, to which those who were admitted received money for their attendance, and were told that their services would be wanted on some future occasion. Such a report might possibly be untrue, but he had certainly heard it, and he had heard it from people not connected with each other. When it was asserted that such clubs met only for the purpose of parliamentary reform, and conducted themselves in an orderly manner, he thought that the ground for alarm was greater; just as he should have more reason to fear an hostile army on being told that it was well disciplined. It was curious that gentlemen should require proofs of such a fact as that of the opinion entertained throughout the kingdom. The unanimous consent of the House of Commons, on meeting after the recess, was pretty good evidence of such a fact. As to his having canvassed for Government, he denied the assertion; and he thought when misrepresentations were so much condemned, that misrepresentations of such a nature ought to have been avoided. He had before said, and again asserted, that there might exist critical circumstances of the country, in which to support Administration was the first duty of men of

every party. Such was the case at present, and it behoved gentlemen to be upon their guard; the fire was suppressed for a time, but not extinguished. The measures of Government had already produced good effects. They had checked the operations of those who wished to overturn the Constitution; they had stopped others from going over to their party; but he feared they had not made one proselyte. These men had now found it to their advantage to pretend that no danger had happened; like house-breakers who rested on their arms, and affected ignorance, when on the eye of detection by the family whom their efforts had awakened; but who resolved, as soon as suspicion should be laid asleep, to renew their atrocities, Mr. Windham spoke of the obstinate incredulity of the honourable gentleman in persisting to think that the alarm throughout the country was created by Administration as a pretext for their subsequent conduct; and asserted that the evidence of danger was indubitable, and was such as the majority of the House had sanctioned by its assent. He therefore totally disapproved the present motion.

Mr. MARTIN defended himself from any imputation which might apply to him in consequence of his being a Member of the Society of Friends to the People, and declared he was not a friend to any particular class exclusive of the rest, but that he was a friend to the lower, the middling, and the higher classes collectively. The conduct of Ministers, he said, would have met his approbation, could he have believed that grounds of alarm had really existed; but he believed no such thing. Mr. Martin was proceeding to state the principles on which he had originally become a Member of the Society that he had before alluded to, but, perceiving the sense of the House to be unfavourable to a detail of that nature, desisted from his intention.

The LORD MAYOR said, that the right honourable gentleman (Mr. Windham) had so ably answered the arguments and observations of the honourable mover, that he would not attempt to enter much at large into the subject of a reply; but with the leave of the House, he should take the liberty to state a few facts, which, though they might not tend to strengthen the general opinion of the House on the existence of Jacobin societies and seditious practices in the capital, might perhaps

contribute a little to remove the persevering credulity of the honourable gentleman opposite to him.

Soon after the promulgation of the King's proclamation in May, he had felt it his particular duty, as approaching to the high station in the city which he had now the honour to fill, to make diligent inquiry into the nature and end of those dangerous practices at that time stated to prevail; in consequence of which, he was soon apprised, not by anonymous or hearsay information, but by regular and accurate evidence of parties who were present, and who, for the purpose of putting the Magistrates on their guard, from a true regard to the safety and welfare of the country, had affected to engage in all the mad and desperate projects at that time in agitation, that numerous societies were formed in the metropolis, frequently assembling, under the specious pretext, certainly, of obtaining a reform in Parliament, or associated as Friends of the People. And here his Lordship begged to be clearly and distinctly understood as not intending the slightest reflection on a very respectable body of gentlemen, publicly associated, under a similar appellation, in another place; for their purpose had been openly and manfully avowed, and the rank of the parties, and the great stake which several of them held in the country, made it absolutely impossible for them to be implicated, in the slightest degree, by what he should offer to the House.

But the fact was, that under one or the other of those denominations, those societies, checked, undoubtedly, during the summer, by the progress of the allied powers, became exceedingly active, and increasing in proportion to the reverse which followed, 8 or 900 new Members being admitted in one week.

The conduct of those societies was systematical, accurately arranged under a few leaders, adopting in the widest extreme the principles of Tom Paine, and always neglecting the apparent object of their associating, for the purpose of inculcating, under the name of a reform in Parliament, principles totally subversive of our happy constitution. French opinions were recommended uniformly and artfully at all the various clubs, and disseminated with the utmost industry into all the corners of the kingdom, and under the forms of French modes, assembling by the phrases of Citizen and Equal. "No King," "No nobles," "No clergy," were the subjects of their dis-

cussions; and the only remedy pointed out by the leaders, was the desperate extremity of creating a new organ, namely, a convention of Englishmen; it being roundly asserted, that Parliament itself was too corrupt to admit of any other resource. The Lord Mayor stated, that those views appearing to him equally monstrous and incredible, he had given to them but little of his confidence, until he found, about the period when he took the Mayoralty Chair, that the information, which had been given to him so early as the middle of September, of an address to the National Convention, from several of those societies, a measure which he then disbelieved, was actually presented, and favourably received at the bar of that body of Legislators; he became from that moment pretty well convinced of the authenticity and value of his communications, and his Lordship put it fairly to the House, to decide whether, under the circumstances stated, he was not bound in duty to take every measure which his prudence could suggest, both of precaution and prevention. And the Citizens of London, to their immortal honour, had so warmly seconded his endeavours, that those societies were considerably checked; and they carried to the foot of the Throne, their loyal and grateful thanks to His Majesty, for his paternal care in assembling his Parliament, and taking those wise and vigorous measures which have promoted the peace of the capital, and the happiness and welfare of the country. The steps in the mean time taken in the city, were neither harsh nor oppressive. The Magistrates only informing the publicans to be on their guard against the admission of bodies of men unknown to the neighbourhood, because wherever seditious assemblies should be permitted, their licence could not be renewed; and in all the cases of anonymous information, it was his (the Lord Mayor's) constant rule to act upon them in no other way, than by sending for the parties, stating the circumstances, hearing their answer, and then dismissing them with friendly and cogent advice. The Lord Mayor said, that before he sat down, he would, with the indulgence of the House, reply to the observation of the honourable gentleman on the subject of a six-penny society expelled from the King's Arms in Cornhill.— That society usually consisted of six or seven hundred persons, who met weekly for the purpose of discussing political subjects, of a delicate and important nature. His Lordship professed

himself a friend to the right of free debate, as some of the clearest principles of the constitution, and he therefore only applied himself to watch the abuse of that privilege; and it so happened, that information was brought to him, which can be verified upon oath, if necessary, that on the evening preceding the interruption alluded to, the Chairman publicly declared, without any material opposition, that he held republican principles; and after stating to the company, details of riots in sundry places, and particularly an attempt to plant the tree of liberty in Dundee, he added, *that he lamented that we were not so forward*. Notwithstanding this, his Lordship acted only in that business on the general application of the Deputy Common Council, and other inhabitants of the Ward, and at the particular request of the owner of the house, who honestly expressed to him his strong dislike of their late proceedings, and his determination to put a stop to them; for which purpose, he claimed the protection of the civil power. His Lordship submitted to the judgement of the House, how far his conduct in that business was deserving of reprehension; and concluded by giving his opinion that the motion of the honourable gentleman was not necessary.

Mr. FOX said, that from the speech of his honourable friend behind him (Mr. Windham) at least till towards the conclusion of it, he had hoped for a speedy determination of the debate. He would not say, that he was not much interested in the fate of his honourable friend's motion, but his anxiety was greatly lessened, from the reflection, that great part of its object had been already obtained; for to have drawn from his honourable friend (Mr. Windham,) now so strenuous a supporter of, and so much in the confidence of, the Minister, a total disavowal of all those supposed plots and insurrections by which the late alarm had been excited, was undoubtedly a great point gained. That honourable friend of his had now expressly acknowledged, that no insurrections or plots, in the sense meant by his honourable friend (Mr. Sheridan) had ever existed: but does this agree with what has been held out by Ministers? No: plots and insurrections of different kinds and in different places, have been held forth; a conspiracy was even talked of for taking possession of the Tower, and the time specified when it was to have taken place. All this,

however, is now given up. His honourable friend seems fond of reasoning altogether in general, and, in his support of the present Administration, he has adopted the prudent plan of giving up both fact and argument; for he could otherwise give them no consistent support. He complains of being misrepresented when he is stated to have said that he gave Ministers his support, because he entertained a bad opinion of them; but he did unquestionably say, that his obligation to strengthen the Executive Government might become, on that account, the more binding. There seemed, therefore, little ground to complain of misrepresentation. Is it, however, said Mr. Fox, or can it be deemed unreasonable, that the denial now given by the honourable gentleman, shall be given formally by the House, that they shall give a vote of quiet to the minds of the people? This, the fortifications of the Tower, and other circumstances calculated to impress the minds of the people with serious alarm, rendered the more indispensably requisite. Mr. Fox next adverted to what had been said of the clubs at Cromar; and if his honourable friend (Mr. Windham) had been so much misinformed, as he had undoubtedly been, with respect to what happened in a village within two miles of his own house, he would have hoped it might have led him to be more jealous of the information he received as to other Clubs and Associations. Mr. Fox said, that he and his friends were not obstinate infidels; they desired only to be convinced, and would readily alter their opinion if they saw any reasonable evidence to induce them so to do. As to what had been said by his honourable friend, that no pretext had been held forth by Ministers to justify the proclamations for calling out the militia, and for the meeting of Parliament, but that they had fairly and distinctly stated the fact; he must beg leave to observe, that a true fact may frequently be used as a false pretext; and here, by the honourable gentleman's own account of the matter, the insurrections satisfied at most but the letter of the law; while a cause totally different, and unconnected either with these insurrections or with the purview of the act of Parliament, was resorted to in order to satisfy the spirit of the act.

A worthy Magistrate had observed, that the number of disaffected had decreased in November, but that they now in-



creased; was not a war the very means of procuring such increase?

Mr. Fox now adverted to the proceedings of Mr. Reeves's Association in receiving and considering anonymous informations, and transmitting them to Government; which he reprobated in the strongest and most emphatical terms, as destructive both of the peace and character of individuals, in all probability innocent, and totally subversive of every principle of liberty. With respect to the present circumstances of the country, Mr. Fox said it was undoubtedly true that many of those friends whom he highly respected, and with whom he had long been accustomed to think and act, entertained a much greater degree of alarm than he did, and of course differed with him in some degree as to the extent of the support which should be given at this time to the Executive Government.— They acted, he knew, on the most honourable principles; and he had the satisfaction also to know that that temporary disagreement in opinion on the present occasion, made no difference whatever in the great line of their political principles; in their disapprobation both of the general system of the present administration, and of the way by which they came into office. He said that the direct lie had now been given to the contents of many pamphlets equally dangerous with any of Paine's books; particularly one, called the Dream of an Englishman, and others; which had been industriously circulated to spread alarm and distress over the face of the country. Was it to be held a justifiable expedient of Government to tell the Public that treasons and conspiracies existed, and neither to prosecute nor endeavour to discover the conspirators and traitors? He and his friends might be supposed to speak as if they felt galled upon the subject. He owned he did speak with some such feeling, because he knew it had been confidently said that letters had been written by him and his friends, to persons in France, of a dangerous tendency, and that it was only owing to the lenity of Ministers that they were not produced. If Ministers were in possession of any such letters, he challenged them to the proof. But he should be told it was an awkward thing to produce letters opened at the Post Office. To that he should answer, the awkwardness was in opening them at the Post Office. It did, however, so happen, that for, he be-

lieved, more than two years, he had not had occasion to write a single letter to France, except one to an English friend (Lord Lauderdale) when at Paris. Again he should be told, that he had seen Frenchmen in this country, that he had seen the French Minister. He had seen Frenchmen here, and had seen the French Minister; but he had yet to learn, that it was any crime for him or any gentleman to see the Minister sent to our Court from any country. He knew of no law by which Members of Parliament, like Senators of Venice, were prohibited from even conversing with the Ministers of foreign States. Was it not a situation of the country horrible to relate, that men's correspondence and conversation were to be pried into with such inquisitorial jealousy, as to make it dangerous for them to commit their thoughts to paper, or to converse with a stranger, but in presence of a third person? Let the House do away all these suspicions and rumours by an honest inquiry, and restore the Public to that freedom and confidence, both of writing and speech, which it was the pride of our Constitution to bestow, and which became the frank and open character of a free people. The right honourable gentleman had said, that these plotters against the Constitution were only quiet like a gang of house-breakers, who had disturbed the family, watching for an opportunity to repeat the attempt: what would be the conduct of the right honourable gentleman if he were really alarmed by house-breakers? Would he make no inquiry to discover the gang, and thereby prevent them from repeating the attempt? Or would he adopt the spirit of a bill once proposed in that House, in consequence of numerous burglaries, of which Jews were suspected to be the perpetrators? The tenor of this bill was, any Jew or suspected person that should be seen looking down an area, should be found guilty,—Death. If the House refused to inquire into the grounds of the suspicions to which they had given the sanction of their belief, they put every person upon whom suspicion fell, into almost as bad a situation as the suspected persons under such a bill. A circumstance respecting the secession of some gentlemen from the Whig Club had been alluded to, which he could have wished had not been mentioned in that place. The right honourable gentleman said he had canvassed

for no persons to join him in that secession; but was not the very mode in which he had done it a canvass?

He was sure that the right honourable gentleman was his friend, because he told him so; he knew that he was the friend of the right honourable gentleman—but had he no other proofs but the circumstance just mentioned, and the publication connected with it, he should not be so presumptuous as to hope that any friendship existed between them. His right honourable friend, whom he never suspected of intending to support Administration in any other mode than that which he professed, was perhaps raising a sort of independent corps; and some might perhaps be induced to join it, preferring that mode of quitting their old friends to a more open desertion. But his right honourable friend would recollect that these independent companies, when once raised, were always incorporated with the regular battalions. The operation of fear was not easily calculated, when they saw already that it had made a Chancellor. To his right honourable friend it had produced only reputation. He was now extolled as one of the very first men in the country, not for those virtues and abilities that well entitled him to the rank, but for his quick sense of alarm, and his perseverance in dismay. When fear could thus confer both profit and reputation, there was no saying to what man might aspire by this glorious kind of magnanimous timidity. He concluded with declaring that he was still incredulous, and should vote for inquiry, which was never more necessary than when the situation of the country was apprehended to be dangerous.

Mr. WINDHAM, in explanation, said, he had stated that insurrections, however they might justify the conduct of Ministers, were not the ground of his opinions, or of his conduct, but the general state of the country. With respect to the conduct of a gentleman not a Member of the House (Mr. Reeves) he had praised only in general terms, his giving birth to the Associations which had done so much good. With the mode of receiving anonymous information, he was not acquainted, he had not commended it, and he was not prepared to condemn it. He begged to be understood as giving no opinion upon it; if in any proceeding which he had thought it his duty to adopt, there was an air of hostility to his right he-

honourable friend, there was no man that lamented it more sincerely than himself.

Mr. BURKE said, that as they were divided into the alarmed and the alarmists, it was a great addition to his alarm, to hear a great Statesman advance principles, which our Government, and every rational society, totally disclaimed. The right honourable gentleman had said, in substance, that if a domestic faction was combined with a foreign enemy, we must not declare war against the foreign enemy, for fear of strengthening the domestic faction. Very differently had our ancestors thought and acted at the Revolution, in the reign of Queen Anne, of George I. and George II. ; at each of these periods there were many persons at home dissatisfied with the Government, but that did not deter Ministers from declaring war against France. To be deterred by any such motive, would be to declare faction triumphant. To the reverse of such policy was it owing that we had been able to preserve our Monarchy, our Peers, and our Commons. Were we to wait till France could turn against us the force of the countries she had conquered and pillaged, for that was her mode of making war ; till Dumourier had plundered the bank of Amsterdam, so intimately connected with the bank of England, that they might be said to be the same ? The honourable gentleman had opened his motion with his usual gaiety, in a stile of gaiety which, in another person, might have been thought to favour of malignity ; but his arguments were not very conclusive. If it was said that the Ministers had excited a false alarm, from their terrors of a parliamentary reform, it might be asked whence came those terrors ? Neither the honourable mover, nor his honourable friend near him (Mr. Grey) though they were always talking of reform, had ever made any motion on the subject. The right honourable gentleman (Mr. Fox) had always declared, that he had never seen any plan of reform of which he thought so well as to propose it to the House, and it was not very candid in any man, who saw it in that point of view, to be goading others to undertake it. The Minister had done more on the subject than any man in the House, more than he thought it wise for any man to do. He had twice moved it in Parliament, and once got it recommended from the Throne ; the latter a measure of which he most pointedly disapproved, as

tending to make the people believe that they were not properly represented. He had heard many motions for these reforms, and had always opposed, but never dreaded them, while previous steps were not taken to infuse into the people distrust and contempt of their representatives. Whether something might not be done to correct unimportant defects here or there, he neither knew nor cared, while the general system was preserved entire; and to that he feared no danger from sober discussion in that House, independent of factious combinations abroad. The war gave no solid increase of power to the Minister. By it he hazarded much more than he could gain.—He risked that which was the basis of his popularity, his system of finance; and consequently had no motives of personal interest for doing that late which he ought to have done early.—The victorious enemy whom we had to engage, and sorry he was to say that they were victorious, had long been connected with a faction at home, whose object was to force us into an alliance with the French, for the purpose of jointly propagating their mischievous principles. To prove this, he read extracts from the correspondence of the Revolution Society in 1791 with 27 Jacobin Societies in France, and the names of the Members of the Committee of Correspondence for that year, to shew that they were not men of mean station or inconsiderable influence. To the sentiments contained in this correspondence, all adverse to the Constitution, two persons, not Members of the Society, had put their names in testimony of approbation. These were Mr. Paine and Dr. Priestley—the former now a Member of the French Convention, and the latter, whose great services to philosophy, politics, and religion had not been sufficiently rewarded in this country, was honoured with the citizenship of France, because he declared hostility to the Constitution of England. When he knew that this had been going on for four years, was his alarm to be called a vain alarm? On the 18th of November, a set of Englishmen at Paris presented an address to the Convention, imploring their good offices in new modelling the British Constitution; and on the next day was passed the famous decree for encouraging rebellion in every country. Another Society had made a donation for carrying on the crusade of French liberty, which the Convention was graciously pleased to accept, and

promise in return aid and protection to its new subjects. He begged to disclaim such protection. He would not have Dumourier, powerful as he thought him, to protect the British Constitution. He would trust rather to our own Ministers, were his opinion of them ten times worse than it was. Messrs. Cooper and Watt had presented an address, and carried the British colours in a procession, and on what occasion—the most infamous that ever disgraced the name of Government. A set of soldiers had been tried by a court martial, and condemned to the galleys. These were fit men for the republicans of Paris. They might be useful—though bad soldiers, they might be good murderers. They were released in contempt of the Assembly then sitting, brought to Paris, and paraded in triumph through the hall. On this detestable occasion, Mr. Cooper and Mr. Watt carried the British colours. They were locked in the fraternizing embrace—they received the fraternizing kiss. They went from the Hall of the Assembly to the Hall of the Jacobins, where they kissed the bloody cheek of Marat, the iron cheek of Pluto instead of Proserpine.

What ardent transports thro' their bosoms ran,  
Clasp'd in th' embraces of the godlike Man !

At Manchester a subscription was opened for the widows of the Marseillois who fell on the 10th of August. The massacre of the 10th of August was never called by its proper name ; the murders committed on that day, which murdered the Constitution, were not murders, but acts of national justice, of which all were emulous to share the glory. When Brissot, Petion, and their party, had murdered or filled the prisons with their opponents, and obtained powers for themselves, they became all of a sudden great lovers of order ; but when another party that wished to supplant them murdered these very prisoners, which they were suffered to do unopposed, and were preparing to remove the new men in power, as they had removed their predecessors, then, and not till then, they exclaimed against the massacre of September as a thing totally different from the massacre of August, and in which the nation had no part. What was murder in one month was not murder in another—they reminded him of the directions in old almshouses—in such a month let blood—in such another take cool-

ing physic. But the people were not quite so nice in their distinctions as the Convention. When the latter ordered that the murderers of September should be prosecuted, the forty-eight sections came with an address, and said these murders were our act; they too were national murders; we were all engaged in them; will you prosecute eight hundred thousand people? They did not ascribe these murders to the invasion of the Austrian and Prussian armies, an excuse first invented for them in that House; they said, that the persons murdered were Aristocrats, who had contrived to get themselves crowded into all the prisons, from which, as so many forts, they might fall forth on the Jacobins, the first convenient opportunity. What would the honourable gentleman, who was such a critic in plots, say to so well-devised a plot as this? Mr. Burke dwelt upon this topic for a considerable time, enumerating the priests and the women that were murdered—among these was the Princess of Lamballe. It happened that her head was cut off, and it happened, that next day M. Egalité got her jointure.

Mr. FOX, by some gesture, expressed his disbelief of this.

Mr. BURKE hastily asked if it was untrue?

Mr. FOX said, certainly; but not more untrue than much of what he had stated besides.

Mr. BURKE said, he stated nothing but on accurate inquiry, and with the proofs in his possession; and any man that said his assertions were untrue, without confuting them, and shewing how they were so, was a calumniator.

Mr. FOX called to order, and said, if the right honourable gentleman meant to affront him personally, he should do that elsewhere. With respect to his assertions, six of them had been confuted in one day.

Mr. BURKE was again going on with the same subject.

The SPEAKER reminded him that it had no relation to the question before the House.

Mr. BURKE said, the subject was not introduced into the debate by him. He could not bear patiently attempts to pervert the English character by apologies for murders. A newspaper, the Morning Chronicle, in the month of November, attempted to apologize for those murders, as acts of substantial justice, though shocking to humanity—

Mr. Burke pursued his subject in the way of question to Mr. Fox, and being again called to order, adverted to Mr. Sheridan's charge of bad taste for introducing the trick of a dagger on a former debate; whose manner, he said, seemed rather to be borrowed from his new connections, than to be the natural growth of his old principles. He read a long letter from a manufacturer at Birmingham, giving an account of the order given by Dr. Maxwell for making daggers there, and said, the only error he had committed in mentioning the business before, was in stating that 3000 were ordered, and 72 made; whereas in fact 10,000 were ordered, and 4000 made. He remarked on some publication by a Mr. Oswald, now in Paris, who expressed his hopes that all Government by representation would soon be at an end, and that France would be freed from their iron yoke of property. This was now in agitation all over France. The old proprietors were pretty well got rid of by murder or confiscation. Those who had shared in the plunder were endeavouring to make a stand, but they would soon be overpowered. The sovereignty of the people was the most false, wicked, and mischievous doctrine that ever could be preached to them. It was false, because they had no means of exercising their sovereignty; and why was it broached? Under a delusion to strip them of their natural guardians, to kill the shepherd and his dogs, and make way for the wolves. If the majority of the Public was to be taken not by weight, but by tale, the most ignorant would elect, and none but the crafty and the wicked would be elected. It was said to be dangerous to introduce an opposition of interest between the rich and the poor: was not this very opposition now the question all over France and Flanders? The right honourable gentleman who warned the House of this danger, said, the man who possessed no property had as much interest in the Constitution, and good order of society, as the man who did. True, an interest visible to every well-informed man, but by no means so to the ignorant. The moment that equality and the sovereignty of the people was adopted as the rule of Government, property would be at an end, and religion, morality and law, which grew out of property, would fall with it. The right honourable gentleman talked of desertions from the party of which he was the leader, from weariness



of travelling so long in the barren tract of opposition. The deserts of Arabia had no charms for these deserters: but perhaps, if a Caravan travelling through these deserts should find that their leader, from passion or obstinacy, had wandered from the right road, and that by following him they were in danger of being attacked by some plundering Sheik, they might be allowed to think a little of their own safety, and to take measures for securing it, independent of the Caravan Bashaw. He could say for himself that he had deserted no party, and that of those with whom he had been accustomed to act there was not one that differed from him in opinion on the present state of affairs, or disapproved of a single vote he had given in the course of the present session. Those who had incidentally joined that party by the way had no claim upon him. He had a high opinion of the right honourable gentleman's abilities, but he could not submit his judgement implicitly to the abilities of any man. The right honourable gentleman had learned from Dr. Price that Kings might be cashiered, but seemed to forget that the leaders of parties could do wrong. Yet if the leader should seem to consider the party as made only for him, instead of considering himself as but a part of it; if he should adopt a line of conduct without consent or consultation; if he should make speeches and motions, as if he meant to say, you dislike what I did to day, I will do more to-morrow; if you disapprove of what I do to-morrow, worse awaits you for the day after that; it might then be supposed that the party was at liberty to leave him. Mr. Burke pursued this allusion to considerable length, tending to convey an idea that Mr. Fox had acted during the present session without consulting with his friends. Fears, the right honourable gentleman said, had made a Chancellor. In times of difficulty and danger, those who saw the danger were meritorious in accepting offices of trust and responsibility. In such times every sacrifice to the public good must be made by every good citizen. The right honourable gentleman himself had sacrificed no interest to the value of a cat's whisker. He was only sacrificing to the vilest idol that ever was set up. He concluded with discussing the difference between party and faction, and expressing his entire disapprobation of the motion,

Mr. FOX said, that with respect to his conduct on the opening of the session, the right honourable gentleman was totally misinformed, and totally mistaken. Mr. Burke said a few words in reply, and Mr. Fox repeated what he had said before.

Colonel MACLEOD said, the right honourable gentleman had ventured to renew one of the most unconstitutional propositions he had ever laid down, viz. that the living mass of humanity did not enter into the constitution. With respect to the insurrections in Scotland, which had been much relied upon there, he quoted a recorded speech by the President of the Court of Session, expressing the surprise and concern of the Court, on being informed of these insurrections by the King's Proclamation, and the debates in Parliament. Thus these insurrections, which had been stated as the cause of the late extraordinary measures, were totally unknown to the fifteen Judges of Scotland, who resided in or near the places which were the scene of the insurrections, till signified to them by the Proclamation, which they could not believe, till confirmed by the debates in Parliament.

Mr. SHERIDAN rose to make a short general reply. He expressed his surprise at the manner in which Mr. Burke had talked of the conduct of parties, who had long since stated that he was unconnected with any party; who had boasted that he stood alone; who had gone from the living Whigs to the dead, and whom having never accused of quitting the camp as a deserter, he never suspected of returning to it as a spy. He had borrowed no manner of debate from new connections, having never once departed from his original connections and principles—conduct which some gentlemen might not be very willing to hear stated, nor think entitled to any merit.

The SPEAKER reminded Mr. Sheridan, that the indulgence of the House entitled him only to reply to points immediately applicable to the motion.

Mr. SHERIDAN said, the gentlemen who opposed it, had said so little that was applicable, and that little tending rather to confirm, than refute the propriety of it, that he had nothing to reply to. With respect to any harshness of expression imputed to him, no affectation of candour should ever induce him to spare those whose conduct seemed studiously calcu-

lated to throw discredit on the principles he maintained, or the friends with whom he acted.

Major MAITLAND said, it was the duty of every Member to correct misrepresentations of the conduct of persons not Members of the House. He had no personal acquaintance with Dr. Maxwell; but he knew, from undoubted information, that the daggers ordered by him were intended for no such purpose as had been insinuated; but as a weapon for horsemen, armed with rifles. The same construction might, with equal plausibility, have been put upon the daggers of a company of light horse, armed in the same manner in the American war.

The question was put, and the motion negatived, without a division.

The House adjourned.

*Tuesday, 5th March.*

The order of the day being read for going into a Committee of the whole House, to consider of the Finances and Expenditure of the East-India Company, the Speaker left the chair, and Mr. Hobart took his seat at the table.

Mr. Secretary DUNDAS moved several resolutions, which were all agreed to, *nem. con.*

The House being resumed, the report was ordered to be received to-morrow.

*Wednesday, 6th March.*

Mr. Secretary DUNDAS acquainted the House, that he had a message from His Majesty to this House, signed by His Majesty; and he presented the same to the House; it was read by Mr. Speaker, and is as followeth, viz.

GEORGE R.

*HIS Majesty, having judged it expedient to employ in the service of Great Britain a body of his electoral troops, for the purpose of assisting his allies the States General of the United Provinces, and of prosecuting in the most effectual manner the just and necessary war in which His Majesty is engaged, His Majesty has directed an estimate to be laid before the House of Commons of the charge attending the employment of the said troops; and His Ma-*

*jefty relies on the zeal of his faithful Commons, that they will be ready to make the necessary provision for maintaining the same.*

G. R.

Ordered, That His Majesty's said most gracious message be referred to the consideration of the Committee of the whole House, to whom it is referred to consider farther of the supply granted to His Majesty.

*Thursday, 7th March.*

Mr. FOX presented a petition from the inhabitants of the city and liberty of Westminster, similar to that already presented by the citizens of London, praying that certain additional duties laid on coals imported into London, in the 9th year of the reign of Q. Ann, may be taken off. Ordered to be laid on the table.

Mr. HOBART brought up the report of the Committee on the affairs of India.

The resolutions voted in the Committee having been read a first time, and the question being put for the second reading,

Mr. N. SMITH rose, and combated at some length the justness of the statements on which these resolutions were founded.

This produced a conversation, in which Mr. Alderman Le Mesurier, Mr. R. Thornton, Mr. Hunter, and Mr. Dundas, spoke shortly in support of the resolutions, maintaining that the situation of the East-India Company was in fact more favourable, and its profits greater than appeared from the statement before the House, which being made out at a time when a bargain with Government was in view, had rather diminished than exaggerated the Company's profits.

The same side of the question was taken up at greater length by

Mr. DAVID SCOTT, who said, that the honourable Alderman (Le Mesurier) had spoken so much to the purpose, that there was the less left for him to say: he must, however, venture to make some few remarks on the opinions of the honourable Director (Mr. Nathaniel Smith) who had opened the debate. The honourable Director professed to take the ground of past experience; and no man had a better right so to do, as he had presided so long at the head of the Company's affairs, as

Chairman, with much credit to himself, and advantage to the Company. Mr. Scott alledged, that the Company's affairs had been in a progressive state of prosperity for several years, and that every year the profits of their commerce had increased, as also their revenue. But Mr. Scott said, he would first meet the honourable gentleman on his own ground—experience of the past. The statement of the Company's affairs, as furnished by the Court of Directors, and which was so materially objected to by the honourable Director, Mr. Scott insisted, was taken expressly from experience of the last three years; and the only objection which could be made to it was, its not making any allowance for the late meliorations in the commerce, or increase in the revenue: that in framing this statement, the Court had supposed themselves as making the best bargain they could between Government and their constituents, and upon that principle had computed the revenues at 200,000*l.* less than the real revenue: On their exports to India they had debited as loss 50,000*l.* per annum, instead of taking credit for 50,000*l.* gain: their profits on the China exports, also, they had passed over unnoticed, of 50,000*l.* per annum; and instead of giving credit for a profit on the expected investment of 1,500,000*l.* from India, and which investment would annually be increased, they had only given credit on about one million; the difference on which article alone, from the average profit of three years, amounted to nearly 250,000*l.* per annum. Upon the whole, Mr. Scott said, the Court had, with that becoming prudence and attention to the interest of their constituents which marked their proceedings, under-rated the Company's annual income at least 700,000*l.* He added, that to the subject of India affairs then before the House, he had given unremitted attention for years past; and with that of commerce particularly, he had been intimately acquainted for the better part of his life: that he was so clear of the Court's statement proving to be as much within the mark as he asserted (common good management provided,) that if the eventual excess was to be sold, he would with pleasure agree to give 500,000*l.* per annum for it; and, according to his mercantile ideas, he conceived no stronger proof could be given to the House of his opinion. He begged that the House would remark the manner in which this statement, and all these accounts,

were authenticated. They were drawn out by the Officers of the India House, who, he would take upon him to say, from his own personal knowledge, were as able and as upright men as could be found in their line in the kingdom—drawn up under the inspection of the Directors, amongst whom there certainly were men of high ability and high integrity. From thence they were, after minute investigation, brought forward in the right honourable Secretary of State's budget, into which they could never have found admittance had they been placed in too favourable a point of view.

Mr. SCOTT apologised to the House for having taken up so much of their time at so late an hour; and declared he should not have intruded on the House at all, if the objections stated by the honourable Director had not struck him with such surprise and regret, as called, from necessity, for explanation from those acquainted with the subject.

The resolutions were then read a second time, and agreed to by the House.

Mr. DUNDAS gave notice, that he meant to bring forward two motions, the one respecting the Government of India, and the other with respect to the trade of India, and that he would bring forward the first on Monday, and the other on Tuesday se'nnight. The House adjourned.

*Friday, 8th March.*

The order of the day being read, which was to call over the names of the Members who were absent from the ballot for a Committee on the Shaftsbury election,

Mr. GRENVILLE moved, That the order of the House of the 15th of February be read, which was done. This order was for taking defaulters in this case into the custody of the Serjeant at Arms.

Lord KENSINGTON was reported to be absent without excuse.

Mr. GRENVILLE disclaimed all personal considerations or motives, and observed, that the dignity of the House, and the consistency of its proceedings, required that its resolutions and its orders should be supported, he therefore thought it his duty to move, That Lord Kensington be taken into the custody of the Serjeant at Arms attending this House.

Sir WATKIN LEWES said a few words in favour of the noble Lord, on account of his age and infirmities, and also because he might have thought he should have been excused on this, as he had on a former occasion; he trusted the House would be pleased to receive the noble Lord's apology.

Captain BERKLEY said the noble Lord was in the lobby a few minutes after the door of the House was locked for the ballot in question.

Lord KENSINGTON made an apology for his absence, and said he came as soon as he was able.

Mr. M. A. TAYLOR moved, that the noble Lord, under these circumstances, be excused.

Mr. Chancellor PITT supported the motion. He was desirous of supporting the orders of the House; but, under all the circumstances of the present case, he thought that a little more allowance might be made to personal infirmity, than to those in an active period of life.

The question was put, and the noble Lord was excused.

The next defaulter was the right honourable Edmund Burke, who, on his name being called, apologised for giving offence to the House; entered into a history of the bill on which the present proceedings were grounded; observed, that on the ground of age he could claim the same indulgence as the noble Lord. He said, it was by no means an intention to insult the House, but a mere inadvertence that occasioned his default; he was far from saying that such an answer was sufficient to entitle him to be excused. He had much rather be under the severity of the House, than that a precedent should be established, by which the authority of their proceedings should be lessened. He therefore submitted entirely to the discretion of the House; he then, on intimation from the Chair, upon the point of regularity, retired.

Mr. GRENVILLE proposed to accept of Mr. Burke's apology.

Mr. Chancellor PITT entered into the question at considerable length, and said that the right honourable gentleman, whose case was now before them, might certainly plead his age, but then they had the satisfaction to know, fortunately for his country, he had proved that he could still be active for the service of his country in that House; that he now united

the strength, vigour, and alacrity of youth, to the wisdom, experience, and maturity of age. He then said, that, notwithstanding the exertions, punctuality, and diligence of the right honourable gentleman on other occasions, the House, in support of its own dignity, must consider him as a defaulter upon this, and therefore he was inclined not to receive any excuse. He moved, "that the right honourable Edmund Burke be taken into the custody of the Serjeant at Arms."

Mr. SHERIDAN said, that the noble Lord, whose apology had been received, was excused on two distinct grounds. His age, and his being in the lobby at the time he was called. He was not excused merely on account of his age. Now he wished the House to see whether the principle would not apply to the case of the right honourable gentleman—he too was in the lobby. He thought that the House, by the last case, had got themselves into a situation which called upon them to excuse all those who were in the lobby at the same time as the noble Lord. He made many other observations, and concluded with observing, that as to the eulogium of Mr. Chancellor Pitt, he did not believe that the right honourable gentleman, whose case was now before them, would much relish the idea of being complimented into the custody of the Serjeant at Arms.

Mr. WILBRAHAM moved, that Mr. Burke be excused.

Mr. Chancellor PITT persisted in the sentiments which he had already expressed.

Mr. Drake and Mr. Courtenay were in favour of the excuse.

The House divided;

For the excuse, 140; against it, 60.

Captain BERKLEY was reported as a defaulter.

The House divided;

Against his excuse, 95; for it, 68.

Sir William Young and Mr. Clement Taylor were also reported defaulters without excuse. Captain Berkley, Mr. Clement Taylor, and Sir William Young, were therefore taken into the custody of the Serjeant at Arms; who having reported that they were in his custody,

The SPEAKER said it was then competent to any Member to make a motion on the case of either of them.



Mr. SHERIDAN moved, " That Captain Berkley, now " in custody for neglecting to attend his duty in Parliament, " be discharged at the rising of this House this day, paying " his fees." Ordered *nem. con.*

The other two were discharged on similar motions from Mr. Sheridan. The House adjourned.

*Monday, 11th March.*

Mr. SHERIDAN informed the House that he had received a great number of petitions from the inhabitants of the Royal burghs of Scotland, which, by their desire, he meant then to present: the first in order was from Glasgow; to which, he said, there were thirteen thousand subscribers: after having stated that the prayer of the petitions was in general for a reform in the internal Government, &c. of the burghs, he moved for leave to bring it up. Leave was accordingly given, and the petition was brought up and read at full length. On the motion of Mr. Sheridan, it was ordered that it should lie upon the table.

Mr. Sheridan observed, that he had thought it proper that this petition should be read at length, for the purpose of shewing the House what was its real object and tendency; but as the others were precisely to the same effect, he should desire no more for the present than that their titles should be read.—The second petition which he delivered was from the burgh of Lanark. It was received, and laid upon the table with the former.

Mr. Sheridan here remarked that as the delivering the remaining petitions would take up much time, and the House appeared to be impatient to hear Mr. Chancellor Pitt on the subject of the Revenue and Ways and Means of the country, he would not deliver any more for the present, and the business of the budget should not be impeded.

Colonel MACLEOD said, he had a petition to present from a place, which had been represented in the course of the session as the theatre of confusion, sedition and disloyalty; he hoped however that the right honourable gentleman (Mr. Pitt) would not object to its introduction, though he had refused the sanction of His Majesty's name to a petition from Shields,

which, for want of such sanction, previously given, the House could not, consistently with its forms, consent to admit.

Mr. Chancellor PITT observed, that after the very singular description which the honourable gentleman had given, of the state of the place from whence the petition came, the House, before it could resolve to receive it, would certainly expect to hear what was the prayer of it.

Colonel MACLEOD said, the petition was from Dundee, and the prayer similar to that which had just been presented from Glasgow.

After this explanation, the petition was received, and laid upon the table with the two former.

Mr. SHERIDAN begged leave to take that opportunity, there being then a full House, to give notice, that he would on Monday fortnight make a motion founded on the subject matter of the petitions from the Royal burghs of Scotland; and he hoped, that a right honourable gentleman opposite to him (Mr. Dundas) would in the interval seriously turn in his mind the claims of the petitioners, who were complaining of great abuses, which were allowed even by that right honourable gentleman to exist, at least in part; for the Lord Advocate of Scotland had last year moved for leave to bring in a bill, in which he was supported by the right honourable gentleman, for the purpose of removing an abuse, the existence of which was admitted by both. Why the bill had been suffered to drop, he could not pretend to say; but this much he would say, that the House, by what it had already done in the business, was actually pledged to grant the petitioners relief, at least in that particular case. He knew that many persons, who trembled at the very idea of reform, would tell him that this was not the proper time: in return, he would tell them, that a measure could not be out of time which would remove complaints, put an end to divisions, and unite a whole people: such an union would be the more desirable, as the country was then embarked in a war, and stood in need of the united exertions of all its inhabitants. He trusted the right honourable gentleman would take such a part in this business, as would enable him to recover that popularity in Scotland, which some people, wickedly no doubt, said he had lost, though he himself would have the world believe otherwise.

The House having resolved itself into a Committee of Supply,

Mr. Chancellor PITT said, It is impossible, in the present situation of affairs, not to look to the means of providing for those exigencies which must arise, and of prosecuting the struggle in which we are engaged with the utmost vigour. I have accordingly taken the earliest opportunity which was afforded me, of laying before you the expences of the present year, and the means and aids by which they are to be supplied: but before I proceed to this enumeration, I must first mention the leading object which has governed my mind upon this occasion, namely, the recollection of the unanimous opinion, with respect to the present struggle, which the House have carried to the Throne, and published to the world; that they regarded it as a struggle for whatever was most dear and sacred, for the security of the Throne, and the preservation of the Constitution; and that they were prepared to prosecute it with the greatest exertion, and a zeal proportioned to the importance of the objects of contest. Fortified with these considerations, I am prepared for that task which my duty on the present occasion requires me to undertake. What, in the first place, is to be looked to, is the vigorous and effectual prosecution of this war, in which we have every thing at stake; and it is by such a prosecution of the war, that we shall best consult true prudence and rational oeconomy. I do not wish to conceal from the House, and from the Public, that large preparations must be made, and considerable expences incurred. OEconomy to me seems in our present situation to consist, not in limiting the extent of these expences, but, in controlling their application. In this point of view, I rely upon this House for a liberal supply, adequate to the exigency and importance of the crisis.—There is another point which I wish to inculcate; that whatever degree of exertion we may regard as necessary, or may be disposed to make, the Public ought not in any respect to be deluded and flattered—they ought to be made sensible of the full extent to which they may be liable to be called upon to defray the expences of the war. I will omit nothing on my part to bring forward annually the whole accounts. But, though in calculating the expences of a war, much may be done by estimate, a great deal must still depend on contingency. Un-

foreseen occurrences will continually arise, which will render additional expences necessary. Taking then these occurrences into view, it is proper to allow considerable latitude for the expences that may be incurred. It is part of my plan to allow a considerable sum for these extraordinary emergencies, so as to make a full provision for every part of the expence. But there is another object to be attended to, whatever degree of exertion may be made in the present contest, which involves the dearest and most sacred objects. Still we must not allow ourselves to neglect what likewise involves in it the permanent interests of ourselves and our posterity. I not only mean still to employ the annual million for the reduction of the National debt, but likewise the sum of 200,000*l.* which was last year understood to be set apart for that purpose, so as to provide, even during the continuance of the war, for the lessening of the debt by compound interest. I likewise mean to avoid another evil which has taken place in all former wars—the accumulation of an unfunded debt. I therefore intend to bring the unfunded debt every year to a distinct account. In conformity with this principle, I shall propose the payment of the navy debt, in order to reduce it to the establishment mentioned by the Committee in their report last year. I shall now proceed in the usual way to state, first, the total amount of the Supply, and the total amount of the Ways and Means, distinguishing the excesses of the services, and of the resources.

## SUPPLY.

## NAVY.

25,000 Seamen, including

Marines,	-	£. 1,300,000	0	0
20,000 ditto,	-	1,040,000	0	0
Ordinary,	669,205	5	10	
Extraordi-				
nary,	387,710	0	0	

1,056,915 5 10

Excess of Navy Debt beyond the Estimate of the

Committee,	-	-	575,000	0	0
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3,971,915 5 10

## ARMY.

Army,	-	-	£. 2,573,187	18	0
Hanoverians,	-	-	455,851	14	8
Militia,	-	-	939,519	15	7
					<hr/>
					3,968,559 8 3

## ORDNANCE.

Ordinary, }  
Extraordi- } 502,686 13 5  
naries, }

Additional

Estimate, 281,079 18 8

					<hr/>
					783,766 12 1
Cobb. at Lyme,	-	-	9,802	4	0
					<hr/>
					793,568 16 1

					<hr/>
					£. 8,734,043 10 2
Miscellaneous Services,	-	-	175,844	11	2½

## DEFICIENCY OF GRANTS.

Arising from Interest on Exchequer Bills,	}	222,325	2	4
Lottery, - - - -				
Deficiency of Ways and Means, -				
Deficiency of Land and Malt, - -		350,000	0	0
To be made annually to the Sinking Fund,		200,000	0	0

With regard to the first article, the total amount of the expence of the navy, for which there have been already voted 45,000 seamen, I would by no means have it understood that these are the whole number which may be necessary to be employed. These sums however constitute the whole of the supply in the ordinary mode of the estimate; to which is to be added, such a sum as the Committee may think proper to allow for the latitude of unforeseen and unavoidable expence. I have before mentioned the extraordinary charges which may be expected to occur. I have just now stated the possibility of some exceeding with regard to seamen. If the situation of this country lead us, as I hope it will, to take an efficient part along with our numerous allies, in carrying on offensive operations against the enemy, a considerable increase of expence in our military establishment will be necessary. Hitherto, we have hired none but the Hanoverian troops; but, in this case,

we may have occasion to employ a considerable body of other foreign troops, in order to press on all sides the common enemy. Some additional expence will be incurred by domestic encampments. An increase will also accrue in the sum allowed to the Loyalists, some of whom have been sent to Canada. A loss may perhaps accrue in the lottery, on account of certain regulations which it has been found necessary to make. It is, therefore, my opinion, that a considerable sum should be set apart to enable His Majesty to provide for the unexpected occurrences of a war, and defray its exigencies as they arise. So many are the contingencies of a war, that, whatever sum may be voted for this purpose, I will not pledge myself for its sufficiency. In other wars, let it be recollected, that, after the sums allotted for them had been expended, very considerable debts were brought forward to be defrayed at a future period. After endeavouring to take every thing into the account, and to calculate as exactly as I can, I will not pretend to state the precise sum; but I would not propose less than a million and a half should be given to His Majesty with a view to contingencies. The mode of giving it, I would suggest to be by Exchequer bills upon a vote of credit; but as I do not wish the number of Exchequer bills in circulation to be increased, I would likewise propose to pay off a million and a half of those which are now in circulation. The total of these sums amount to 11,182,213*l.* 3*s.* 8*d.*

I now come to state the means with which we are furnished, and to suggest the aids which may yet be wanting to defray this expence.

#### WAYS AND MEANS.

Land Tax,	- - - - -	£. 200,000
Malt	- - - - -	750,000
Surplus of Consolidated Fund on 5th Jan. 1793		433,696
Surplus of Consolidated Fund on April 5, 1794, viz.		
Expected Surplus on 5th April, 1793,	£. 274,000	
Expected Surplus of the 4 Quarters to		
5th April, 1794, estimated on the 4		
years average as below, after deduct-		
ing 220,000 <i>l.</i> for Duties to be ap-		

propriated to pay the Interest of Mo-	
ney to be borrowed	- *2,185,000
Imprest Monies to be repaid	- 250,000
Money to be paid by the E. India Comp.	500,000
	<u>3,209,000</u>
Money from the Commissioners for the National	

* Year ending January	
1790, Total Amount of	
Taxes	15,991,000
Deduct Land & Malt	2,558,000
	<u>13,433,000</u>
1791, Total Amt. of Taxes	16,437,000
Deduct Land & Malt	2,558,000
	<u>13,879,000</u>
1792, Total Amt. of Taxes	16,730,000
Deduct Land & Malt	2,558,000
	<u>14,172,000</u>
1793, Total Amt. of Taxes §	16,970,000
Deduct Land & Malt	2,558,000
	<u>14,412,000</u>
	<u>£. 55,896,000</u>
Deduct on acct. of repeal-	
ed Taxes in three years	669,000
Ditto in 1792-3	90,000
	<u>759,000</u>
	<u>£. 55,137,000</u>
	Average, £. 13,784,000
Add 1-6th of a 53d Week	31,000
	<u>£. 13,816,000</u>
Deduct, permanent Charges on Can-	
solidated Fund	11,391,000
And for Interest on Money to be raised	240,000
	<u>11,631,000</u>
	<u>£. 2,185,000</u>
§ Total Amount of Taxes	15,116,000
Land & Malt	2,558,000
	<u>£. 17,674,000</u>
Deduct, Total Amount of New	
Taxes in 1793	832,760
From which is to be abated Old	
Stamp Duties	128,600
	<u>704,000</u>
	<u>16,970,000</u>

Debt, including the annual Contribution of	
200,000l.	- - - † 1,650,000
Continuation of temporary Taxes	- 255,000
	<hr/>
	£.8,299,696

That part of the statement, which relates to the surplus of the Consolidated Fund, on the 5th of January last, I trust will afford much satisfaction. Gentlemen will recollect that the expences of 1792 were to be defrayed by the amount of the revenue to the 5th of April, 1793; but it happens that the expences were not only defrayed on the 5th of January 1793, but a surplus actually remained; consequently the produce of the quarter ending on the 5th of April, is applicable to the exigencies of the present year; of the produce of this quarter 435,000l. have been already voted. Supposing it to be as favourable as it has been in former years, 274,000l. will remain of this quarter, in addition to the 435,000l. of which the nation will have to avail itself. Still, however, I mean to carry on the year from the 5th April, 1793, to the 5th April, 1794. However sanguine in my own expectations of the flourishing state of the revenue, I have always wished to be moderate in my calculations; therefore have, upon former occasions, as at present, taken it upon the average of the four last years. It is my intention to continue those temporary taxes which were imposed upon occasion of the Spanish armament, and which expire at different periods. They had been found to be attended with no particular inconvenience to the country, and would consequently be submitted to with less reluctance than any fresh imposts. These amount to 255,000l. which sum I should henceforth propose to consider as part of the Supply. The aid which I have now to suggest is, what often has been

† Monies to be received by the Commissioners for Reduction of the National Debt in the Four Quarters to 5th January 1794.

Quarter ending 5th April 1793	£. 583,195
5th July 1793	361,489
10th October 1793	349,195
5th Jan. 1794	375,703
	<hr/>
	£. 1,650,000



looked upon as entirely chimerical, and has been treated, at best, as precarious and uncertain; namely, the assistance to the finances of this country to be derived from those of India. This assistance my right honourable friend pledged himself for, when he could neither foresee the war which threatened the opulence of India, nor the present war which could render its resources desirable to this country. I am now happy to state that the fulfilment of his promise has arrived, notwithstanding the difficulties which seemed to bar its accomplishment; and that, in 1794, a sum of not less than 500,000*l.* from the finances of India, will be applicable to the expences of this country. My right honourable friend has not only stated his propositions on this subject distinctly, article by article, but published them to the world; and thus taken every method to invite discussion, and challenge contradiction. The political and commercial arrangements of India are not yet before the House; nor has any plan, with respect to them, been definitively settled: but, whatever may be the plan adopted, I trust it will be one attended with no less advantage than that proposed by my right honourable friend; so that, in any case, I may with confidence, promise the benefit which it has been stated will result from the assistance of India. The whole make a total of 6,649,000*l.* so that there remains 4,500,000*l.* to be provided for by other resources. Of this sum, there is 1,650,000 in the hands of the Commissioners of the National Debt, which they would readily subscribe; and for the rest there will be wanting a loan of 2,900,000*l.* I have not made any proposals concerning the terms of the loan, because I considered it, first, as my duty to submit this statement to the Public, in order to avoid any thing which might have the appearance of deception. A sum of 240,000*l.* will be wanting to pay the interest of this loan, for which purpose I mean to devote the taxes imposed upon occasion of the Spanish armament. These taxes were of two kinds, some of them temporary, and others perpetual. Of these, the additional tax on bills, and the game duty, amounted to 85,000*l.* The tax of one penny per gallon on all British spirits, which surely was, in itself, a matter of proper regulation, produced a sum of 112,000*l.* Another of these was the addition of ten per cent. upon all assessed taxes, which amounted to about 90,000*l.*; making, upon the whole,

a sum of 287,000*l*. According to the present price of stocks, and recent events are not likely to diminish their value, I will now lay before the Committee a general statement of the whole subject, in one connected point of view:

### GENERAL STATEMENT.

Amount of Supply    £. 11,182,213

Do. of Ways & Means    8,299,696

2,882,517

Add, Money from Commissioners    1,650,000

£. 4,532,517 say, 4,500,000

4,500,000*l*. at 75 per cent. is equal to    -    £. 6,000,000

6,000,000*l*. at 3 per cent. is equal to    -    £. 180,000

To which add an additional 1 per cent.    -    60,000

£. 240,000

10 per cent. on Assessed Taxes,	£. 90,000	} Temporary Taxes to be continued.
British Spirits    -    -    -	112,000	
Bills and Receipts    -    -    -	68,000	
Game Duty,    -    -    -    -	17,000	
	£. 287,000	

This, I believe, is nearly the statement which I meant to submit to the Committee. You will have perceived that I have stated a large and ample provision, in point of expence, with a view to an extended scale of operations. You will also perceive that I have made a large provision for the extraordinary and unforeseen occurrences which may arise during the war; while, at the same time, I have attended to the object of keeping down the unfunded debt, and applying the annual surplus to the extinction of the funded debt. The Committee will at least see that I have not neglected, however painful, to do my duty. That I have prepared, decidedly, to meet events; and let them know the extent of the operations with which

the present and future state of the war may be attended; and though I should deem it presumptuous to speculate much about the events of a war which must always be accompanied with some degree of suspense and uncertainty, I do not think it useless to suggest some observations with respect to this war in which we are engaged. The excess of the permanent revenue, if kept up, is no less than 900,000*l.* above the peace establishment; which even, if destroyed by war, will leave the country in possession of all its ordinary revenue. This 900,000*l.* I have not taken into my reasoning. I have taken care not to found any calculation upon it; because I was desirous to leave it as a security against those accidents and contingencies to which every war is liable. Nothing, certainly, is so impossible, as to calculate, with any degree of certainty, upon the events of a war; yet, if the same good fortune which has attended us in the outset, shall continue to accompany us, we have every thing to hope, and little reason to dread that our commerce will meet with much interruption; in which case, our revenue could not suffer. At the same time, it has been my object to prepare you for sinister events, and to make provision against every calamity that can possibly occur. The Committee will see, from the statements which I have submitted to them, that even if the struggle in which we are engaged should last beyond the present year, we shall be able to carry it on during the next, without any additional burden.— I am not desirous to draw a sanguine picture. I was careful to state none of these encouragements to a war in any of the previous discussions. I considered that we ought then to determine solely on the merits of the case; and that, if we considered a war as necessary, we were bound to meet it, even to its utmost extent. There is no part which we ought not to be prepared to sacrifice for the preservation of the whole. This is a war in which, not merely adopting empty professions, but speaking the language of our hearts, and fulfilling the impressions of our duty, we are ready to sacrifice our lives and fortunes for the safety of the country, the security of Europe, and in the cause of justice, humanity, and religion. I will not do such injustice to any one as to suppose, that in such a cause, they are not ready to go the greatest length, and to make every sacrifice that may be required. I will here barely touch upon

the contrast which the present situation of the country offers to the flourishing state during the last session with regard to revenue. That contrast no man feels more severely than I do. No man can more deeply regret any interruption to the prosperous state of the revenue, the object of my most anxious attention and my most favourite wishes; but if they consider the situation of the neighbouring and hostile state with respect to revenue, they have no reason to despond. Instead of giving way to feelings of useless regret upon that occasion, I trust you are influenced by far different sentiments. Many are the motives which have induced us to enter into a war.— I have heard of wars of honour; and such, too, have been deemed wars of prudence and policy. On the present occasion, whatever could raise the feelings, or animate the exertions of a people, concurred to prompt them to the war.— The contempt which the French had shewn for a neutrality, on our part most strictly observed; the violations of their solemn and plighted faith; their presumptuous attempts to interfere in the Government of this country, and to arm our subjects against ourselves; to villify a monarch, the object of our gratitude, reverence and affection; and to separate the Court from the people, by representing them as influenced by different motives, and acting from different interests.— After provocations so wanton, so often repeated, and so highly aggravated, does not this become, on our part, a war of honour; a war necessary to assert the spirit of the nation and the dignity of the British name? I have heard of wars undertaken for the general security of Europe: was it ever so threatened as by the progress of the French arms, and the system of ambition and aggrandizement which they have discovered? I have heard of wars for the defence of the Protestant religion: our enemies, in this instance, are equally the enemies of all religion—of Lutheranism, of Calvinism; and desirous to propagate, every where, by the force of their arms, that system of infidelity which they avow in their principles. I have heard of wars undertaken in defence of the lawful succession; but now we fight in defence of our hereditary monarchy. We are at war with those who would destroy the whole fabric of our constitution. When I look at these things, they afford me encouragement and consolation;

and support me in discharging the painful task, to which I am now called by my duty. The retrospect to that flourishing state in which we were placed previous to this war, ought to teach us to know the value of the present order of things; and to resist the malignant and envious attempts of those who would deprive us of that happiness which they despair themselves to attain. We ought to remember, that that very prosperous situation at the present crisis supplies us with the exertions; and furnishes us with the means, which our exigencies demand. In such a cause as that in which we are now engaged, I trust that our exertions will terminate only with our lives. On this ground I have brought forward the resolutions which I am now to propose; and on this ground, I now trust for your support.

Mr. Chancellor Pitt then concluded with moving the first resolution.

Mr. SHERIDAN began with saying, that whatever difference of opinion there had been respecting the necessity of the war, or the means by which, consistently with good sense and sound policy, it might have been avoided altogether, yet the country being actually engaged in it, the right honourable gentleman, he believed, had done but justice to the House in assuming that his propositions that day would meet with their unanimous assent; and if exertion was to be vigorous, undoubtedly the supply must be liberal. The right honourable gentleman had, however, called on the House to watch the whole of the business with vigilance, and even with jealousy. The call was not necessary to him (Mr. Sheridan) for he had uniformly acted on that principle upon all revenue questions, and without apologizing for an essential act of duty, he would always continue to do so. Under this impulse, although he gave the Minister credit for the fairness of some of his statements, yet he must frankly say that he had felt the jealousy recommended much awakened by the very extraordinary and sudden appeal to the passions of the House, with which the right honourable gentleman had concluded his speech. There was little novelty in it, except the novelty of introducing in a day devoted to figures, all the arts of declamation. He had suddenly laid down his pencil and slate, as it were, and grasping his truncheon, had finished

with an harangue more calculated for the General of a heated army going to storm a French redoubt, than a Minister of Finance discussing accounts in the sober hour of calculation with the stewards and attornies of a burdened and patient people. Whenever he saw exertion and eloquence so misplaced, he always suspected there was some weakness to cover in the subject itself. He was the more led into the apprehension by some very alarming hints the right honourable gentleman had dropped respecting new connections still to be formed. It seemed the expensive corps of 12,000 Hanoverians were not the only foreign troops we were to pay : new subsidies and foreign mercenaries were announced, and in a manner that seemed to avow that Government was adopting the general principles and views of the Austrian and Prussian confederacy, which he had hitherto flattered himself had not been the case, whatever had been the wishes and arguments of some individuals in that House. He had been in hopes that the war was undertaken on the general ground of opposing the dangerous increase of the French power, and on the principle of never permitting this country for a moment to hold its independence at the mercy or forbearance of any other power on earth ; but he was sorry to observe symptoms of adopting the contrary line now first appearing in the words and conduct of the Ministers. He hoped he was mistaken ; for whatever was said of the popularity of the war, he was confident that it was not intended by the nation to be a war of vengeance, that *bellum internecinum*, that crusade for the extirpation of opinions, and of forms of foreign governments, which some had rashly recommended, but to which the Minister had hitherto appeared too wise to commit himself.

Mr. Sheridan agreed that Mr. Pitt had not overloaded our average income ; but he gave the most decided contradiction to his statement, that if peace had continued, or whenever peace was restored, there would be a balance, after paying the peace establishment and the surplus million, of nearly nine hundred thousand pounds ; this, Mr. Sheridan said, was proved by facts and figures to be a most gross fallacy, and nothing was so dangerous as buoying up people's hopes, and making them careless of the consequences of war by such delusions. He took the produce of last year up to the 5th of January, as

stated by the Chancellor of the Exchequer, and the papers on the table; including the land and malt tax, the total income of the year would be something short of 17,000,000*l*. This, said the right honourable gentleman, is 900,000*l*. more than necessary for a peace establishment, and therefore we might reckon on 900,000*l*. whenever peace should arrive. What a mode of arguing! Ten years had passed since the American war, and never had this year of peace establishment arrived! Not one single year in which our expenditure had been less than seventeen millions. Were we ever likely to see it less? Were rigorous reduction in all our military services likely to be the characteristic of a future peace? and when that peace was obtained, was another ten-years interval to take place before the establishments were to be affected by it? To hold out such hopes was trifling with the country, and not following the open dealing which the Minister called for and recommended. The improbability of our revenue continuing at its present standard was also a matter of serious consideration. The more general the war, the more would all foreign merchants be disturbed, and commercial capitals be withheld from their objects; and there was no town in Europe where this would not interfere with the trade and manufactures, and consequently the public revenues of Great Britain. Among the ways and means, he objected to nothing but the sum supposed to be forthcoming from the East-India Company. This he dwelt on at some length, in declaring, that it ought not even to have been mentioned, but as it depended solely on the renewal of the charter. That important question ought to have been permitted to come hereafter, as it must come to the consideration of Parliament, without any previous opinion having been in a bye manner obtained upon it, much less without Government and that House seeming to have already accepted the premium which was to be the price of the Charter.

Mr. Sheridan concluded with a strong recommendation to the House before they laid a new burden of a single shilling on the people, to enable themselves, by a rigorous scrutiny into all useless places, and reversionary sinecures, to look their constituents in the face, and assure them, that before they applied to their pockets, they had abolished all unnecessary expences and unmerited stipends. By doing this they would not only

bring to the public service large sums, wrung from the industry and labour of the community, but they would destroy the baits of corruption, and teach the Government to look to its merits for its support.

Mr. DRAKE highly approved both of the general conduct of the right honourable Mr. Chancellor Pitt, and of the manner in which he had brought forward the important business of that day: he thought it had been well said that Englishmen must be angry to fight well; and angry he was sure every brave and generous Englishman must now be. He highly disapproved of the observations made by the honourable gentleman who had just sat down to that part of the speech of the right honourable gentleman, which he had deemed to be inapplicable to the business before the House, and rather what might have been expected in the speech of a General, addressing his troops, when about to storm a French redoubt, than from a person in the situation of that right honourable gentleman, and on such an occasion. As to Generals making speeches; the true spirit of a man going to battle ought to be "To fight." The conduct of his brave countrymen on the present occasion had afforded him the highest satisfaction, and he greatly applauded the subscription set on foot for relief of the families of such heroes as should fall in the service of their country, which he hoped would meet with liberal support. Every thing was to be hoped for from the virtues, conduct and intrepidity of the Royal Duke who commanded our troops in Holland, and were he to figure that noble personage, addressing them on board the Syren Frigate, he believed he would only say, "Fight on." Before he sat down he would say that, in so good a cause, he trusted to the protection and favour of Providence, and that the just and necessary war in which we were engaged would lead to an honourable and blessed peace.

Mr. FOX said, that though the honourable gentleman who spoke last, had laboured much to shew that part of the speech of the right honourable Mr. Chancellor Pitt, which his honourable friend (Mr. Sheridan) had considered as improper, would not have come well from a General about to storm a French redoubt, yet he had brought forward no argument to satisfy the House that it was proper to be introduced on the present occasion, which was indeed the only question to be



considered. In what the honourable gentleman had said towards the conclusion of his speech, he was persuaded he would be joined by every gentleman in that House, and no gentleman could join more heartily than himself in praising the alacrity and bravery of our troops, or in pronouncing the just eulogium of the distinguished personage who commanded them, in whom he knew that, with good sense, the virtues of bravery, honour, and humanity, were in an eminent degree united. He had come down to the House not without anxiety, but it had afforded him the most sincere pleasure to learn from the right honourable Mr. Chancellor Pitt, at the beginning of his speech, that he meant to go on a large scale, in providing for the vigorous prosecution of the war, in which this country is actually engaged; and he also approved of reducing the unfunded debt; but it was surely rather singular that while the right honourable gentleman was proposing to pay off, 1,500,000*l.* of Exchequer bills, he was at the same time to issue Exchequer bills to that amount on a vote of credit. He most sincerely wished that the right honourable gentleman, instead of speculating as he had done, had deigned to follow the advice which he had given in the last session, as to paying off the 4 per cents. Had he done so, and paid off the 4 per cents when at 95, a permanent resource of no less than 240,000*l.* would have been gained to the Public. Mr. Fox expressed in strong terms his surprise and alarm at that part of the right honourable gentleman's speech, where he spoke of our entering into numerous alliances with foreign powers, besides those in which we were now engaged. He anxiously wished to be informed what alliances were meant, as he dreaded much our being led into dangerous and improper engagements, for the prosecution of the most unjustifiable purposes. It must surely appear rather singular to bring forward, as a new and unforeseen resource, that which might arise from a continuation of the temporary taxes imposed for defraying the expences of the Spanish armament; this must have occurred to every body; and the continuing these taxes after the period of their expiration, was in fact the same thing as imposing new taxes, though he did not mean to say that it was not better to continue taxes already existing, than to lay on the people any burden which they had not hitherto born. The right honourable gentleman had assumed to

himself much credit from refraining to say any thing on the flourishing state of our finances, in the discussions with respect to war: he sincerely wished that a similar conduct had been preserved on the present occasion, as it appeared to him not less improper to bring forward any declaration or observations as to the nature and objects of the war in a discussion with respect to finance. To do so, besides being improper, he thought perfectly useless: for, if the war is so necessary—as has been represented, involving in it every thing that is dear and valuable to this country, no matter what our situation in point of finance, no object of that kind could have prevented our engaging in it; on the other hand, however prosperous and flourishing the situation of our finances, if the war was not necessary, that surely could be no argument for engaging in it. After the various discussions on the subject of the war that had taken place in that House, it seemed singular that the right honourable gentleman should suppose that he could, by declamation, add any thing to what had been already said: he has said that he has heard of wars for honour, and wars for religion; and has asked, if ever there was a war in which both honour and religion, and every thing dear to a nation, were so deeply implicated, a mode of reasoning specious enough to impose upon some people. But the answer he would give to it would be this—can we gain more by the event of war, than might, in all probability, have been obtained by negotiation? The relinquishment by the French of their conquests, the explanation or repeal of their offensive decrees, the safety of our allies, all these he thought, in the situation of this country, might have been procured by negotiation. He would be told, however, that, supposing this to be so, what security could we have for the performance of these engagements on the part of the French? what better security, he would ask, could we have after the war? Unless, indeed, we are going to war, not for the purpose of forcing France to relinquish Savoy, and her other conquests, or of preventing the increase of her power; but for the purpose of interfering in the internal affairs of France, and of substituting, in room of the present, a new government, in which we might place greater reliance. This purpose of the war had been approved by some persons; but had been uniformly and explicitly disavowed by the Minister, and was so,

in the clearest and most express terms, at the time he brought down His Majesty's message respecting the war. The language now held, and the declamation they had heard that day, called for a distinct explanation upon this most important point. The right honourable gentleman had asked, why should war diminish the revenue? But are not flourishing commerce and manufactures the greatest support of the revenue? Does the right honourable gentleman mean to say, that the manufactures of this country will not be injured by war? Has he had any information of late from Manchester, Paisley, Norwich, &c. which has induced him to form this opinion? If so, Mr. Fox declared that his information had been directly the reverse; but this would not certainly operate in any degree upon his mind, did he conceive the honour and dearest interests of this country to be implicated in the war to the extent which had been represented. As the subject of war would not probably be again debated, he thought it right to say that he remained of opinion that it might have been avoided; and when the right honourable gentleman talked of the prosperous state of this country last year, he could not but still more condemn the putting that enviable prosperity to risk without negotiation. The right honourable gentleman, by his declamation, had drawn from him thus much; and he could not conclude without saying a few words on the subject of our East-India affairs. He had not yet given much examination to the papers laid before the House relative to that business, but he had bestowed some consideration on it, and he still wished for a great deal of information: he joined with his honourable friend in being averse to taking at present the 500,000*l.* stated as a resource arising to this country from the revenues of India. The renewal of the Charter of the East-India Company was the greatest commercial question that had ever been considered by the Legislature of any country. It involved a variety of objects of such magnitude and importance, that, in competition with them even this 500,000*l.* ought to be considered as nothing. He thought it therefore highly improper that the discussion of such a subject should be cramped or fettered in any shape.— True, the right honourable gentleman had said that, by taking this 500,000*l.* at present into calculation, the House would by no means be pledged to a renewal of the East-India Company's

Charter; but he had also said that the House would not surely adopt any regulations with respect to India, from which the Public would not derive at least an equal profit. If the House was to proceed on this ground, there could be no fair discussion; for whatever advantages, either immediate or eventual, and of how great importance soever, might appear likely to arise from opening the commerce with India, if a revenue of 500,000*l.* should not be immediately derived to the Public, they would be stopped by the *postulatum* which had been now laid down: for his part he could never think it right or prudent to go into the consideration of a commercial question of such immense magnitude cramped in the outset by a *sine qua non* of this sort. To him the whole business bore much the appearance of Ministers having taken upon them to pledge that House and the Public to a renewal of the Company's Charter, in a manner disgraceful to the country; and since the publication of the speech of another right honourable gentleman, (Mr. Dundas) the opinion universally entertained was, that a renewal of the Company's Charter was absolutely determined on. He did not say that he had made up his mind as to the propriety or impropriety of renewing that Charter; but it was a matter which ought certainly to be decided upon with the greatest deliberation, and gentlemen ought to have their judgments and opinions totally unfettered and unbiassed.

Mr. Chancellor PITT denied that Ministers had pledged either that House or the country to a renewal of the East-India Company's charter. It was necessary to have a previous concert with the Company, in order to ascertain what advantages they would agree to communicate to the Public, in case a renewal of their charter should be considered a proper measure. He had no hesitation in saying, that, when all the circumstances were fully before the House, he was confident that a renewal of the Company's charter would appear to be much for the interest of the country. It had been said that, since the publication of the speech of his right honourable friend, every body believed that the charter would be renewed; and he was glad to hear that such was the case; because it could only arise from a public conviction, that the renewal of the charter, upon the terms and with the regulations on which the East-India Company had agreed to accept it, would be much for the in-

terest of this country in every point of view. It had also been said, that it was unfair to bring forward this 500,000*l.* at present : but he begged gentlemen to consider the situation in which he was placed. He must, upon the principle contended for, have either withheld this 500,000*l.* from the Public, or have delayed his budget till the final discussion of that business. He had never meant to say that the 500,000*l.* was to counter-balance all objections that might arise to a renewal of the charter ; unless, by any other proposed regulations, an equal sum was immediately to be derived to the Public ; but it would certainly be a circumstance in the scale, and he begged leave to say, that in whatever way the trade in India were to be regulated, the Public must unquestionably have a right to a participation in the surplus which had been acquired by the blood and treasure of this country in conjunction with the company. But even on the supposition, though improbable in the highest degree, that this sum should not be derived to the Public, in whatever way the trade to India may be eventually regulated, it would only be necessary that it should then be withdrawn, and the amount provided for in some other way. As to that part of his former speech that night, which gentlemen had found fault with as unnecessary and improper, it did appear to him, that, when bringing forward a demand for large and unusual supplies, it was highly relevant and pertinent to state in strong terms the urgency and importance of the occasion which rendered these supplies necessary, and which ought to make them be submitted to with cheerfulness. He admitted that, in doing this, he had in some degree begged the question ; but how had he done this ? Founding it upon the decided and deliberate opinion of a great majority of that House ; for that House had not only sanctioned the principle of the present war, but had repeatedly decided, in opposition to all the arguments brought forward by gentlemen on the other side of the House ; and, above all, that power which they themselves admitted had not yet given satisfaction to this country, had actually declared war against us. He therefore conceived he had said no more than was necessary, as well as just and proper, and intimately connected with the subject which he had brought forward.

Sir HENRY HOUGHTON could not conceive how the manufacturing towns in this country could be supposed to be averse to the war, when in Manchester, 1600l. had been subscribed towards the raising of marines; he paid high compliments to the right honourable Mr. Chancellor Pitt, to whom he said he felt a great degree of gratitude for his high spirit and wise conduct on the present occasion.

The several resolutions were then put and agreed to, and ordered to be reported to-morrow.

In a Committee of Ways and Means agreed to the sum, proposed by Mr. Chancellor Pitt, to be taken from the Consolidated Fund for the service of the current year. Ordered to be reported to-morrow.

Mr. SHERIDAN presented a number of petitions from the Royal burghs of Scotland. The House adjourned,

*Tuesday, 12th March.*

The ATTORNEY GENERAL gave notice, that he should to-morrow move for leave to bring in a bill to prevent triatorous correspondence, and for the more effectually preventing the King's enemies from carrying on their plans, &c.

This produced a conversation between Mr. Grey, Mr. Sheridan, the Chancellor of the Exchequer, Major Maitland, and the Attorney General, after which the notice was changed to Thursday.

Mr. POWYS gave notice, that he should bring forward a motion for the regulation of canals, on Thursday.

The report of the Committee on the Supply and Ways and Means for the year, was brought up by Mr. Hobart. The resolutions moved by Mr. Chancellor Pitt yesterday on the opening of the Budget, were then read.

Mr. TAYLOR said, that he wished the attention of the House to be given to that part of the Ways and Means for raising a Supply, which was called the Lottery; because, as at present advised, he thought it his duty to oppose that measure. He therefore moved, "That the report of the Committee appointed to inquire into the evils attending a lottery, be printed for the use of the Members of the House." Ordered.

The House adjourned.

*Wednesday, 13th March.*

A petition was presented from the inhabitants of the city of Durham, stating their surprise at the manner in which a continuance of the slave trade was endeavoured to be supported, and praying for its immediate and total abolition. Ordered to be laid upon the table.

Mr. Alderman CURTIS moved, " That the petition presented some time since on behalf of the Citizens of London, praying that the duty laid on coals, in the reign of Queen Ann, might be referred to a Committee, that they might report their opinion thereon as it should appear to them, to the House."

Mr. Alderman ANDERSON supported the motion.

Mr. Chancellor PITT said, there were two points of view in which the petition might be considered. The one was a question of policy, whether the duties in question ought to be repealed at the present season? The other, whether the duties had been applied in the manner intended by the legislature?—He entered into a history of this duty. In the reign of Queen Ann, the sum of three shillings per chaldron was laid upon coals in the port of London, in addition to the sum of five shillings upon all coals; this was for the purpose of building fifty-two churches. By the first of George I. this duty was made applicable to the maintenance of the ministers of these churches, as well as the building of them. By the 5th of George I. the duty was declared to be continued for 32 years. By the sixth of George I. the duty was made perpetual, and made part of a fund called the South Sea Fund, to charge annuities upon the South Sea Company. The consequence of which was, that the whole of it had since been appropriated for public purposes; and by the 28th of George II. it made part of the Consolidated Fund. He then entered into general observations upon the nature of taxes, admitted this to be unequal, and to have been enacted for a local purpose; but did not think that any objection could fairly be made against its continuing to be carried to the service of the Public, after all the acts of Parliament declaring it to be so appropriated. As to the question of expediency, he said, it produced 130,000l. annually to the public service, and he did not think that it should now be taken off at the outset of the war.

Mr. Alderman CURTIS said, that his constituents were not very sanguine in their expectations on this subject.

Mr. FOX said, he had no authority from his constituents, who had also presented their petition upon this subject, to make a declaration similar to that made by the worthy Magistrate. He did not conceive that because they had for many years submitted to pay an unjust and unreasonable tax, that therefore they should suffer the injustice and oppression to continue for ever, without complaint. The question was, whether the House ought now to enter into a consideration of this duty, for that was all the motion went to. As to the observation of being at war, the answer was clear. The petitioners knew nothing of that point, for they preferred their petition last session of Parliament, when Mr. Chancellor Pitt calculated upon fifteen years peace, and when he was as little desirous to enter into this subject as he was at present. This duty he was sure ought to have been repealed last year, and that upon a principle which called for the repeal of it now. That it was a local duty, appropriated for a time to a local purpose, and that it had been changed afterwards to a public purpose, after the local one was at an end, was an injustice which time can never sanction. He then took notice of the gross injustice of continuing the duty as it stood long after the purpose of imposing it had been answered, and of changing it from a local and temporary tax into a public and permanent one. It was not only a hardship on the inhabitants of London, but upon all those who were supplied with coals from the port of London, and who had no interest whatever in the original creation of the tax, Surry, Oxford, and other counties. He hinted, that a shilling addition upon all places, or perhaps ninepence, would answer this duty; he was sure that would be less objectionable than the present mode, which was certainly partial and oppressive.

Mr. ROSE observed, that the Citizens of London could not be said to have been taken by surprise when this tax was made a public one, for in the year 1719 they presented a petition on that very subject, and the petition was rejected.

Mr. SHERIDAN said, if it could be proved that no mode could be adopted to supply the loss of 130,000*l.* to the Public, he should vote against the present petition, because he was



sure that we could not spare that or any other sum at present; but Mr. Chancellor Pitt had said nothing that could lead to a hope that even when the war shall be concluded, that this tax shall be taken off or modified, all he said, had tended to lay an eternal bar against it. If a Committee were to be gone into, the objection of lessening the revenue might be answered by providing that the duty should continue during the continuance of the war. Mr. Sheridan made several other observations tending to enforce the propriety of committing the petition to proper inquiry.

Sir WATKIN LEWES supported the motion.

Lord WILLIAM RUSSEL said, it was with some surprise he heard that the Citizens of London were not very sanguine in this business; those with whom he had conversed, were very desirous that attention should be paid to the subject, and his constituents had such hopes of success, that they did not expect that the measure was to be opposed.

The House divided,

For committing the petition, 35

Against it, - - 77

The House adjourned.

*Thursday, 14th March.*

The order of the day being read, and the House having gone into a Committee of the whole House on Stuart's Divorce bill, Counsel were heard at the bar, and several witnesses examined to prove the adulterous intercourse, &c. After which, on the second reading of the clause, bastardizing all the issue born since December 1785; and the question being put, that that clause should stand part of the bill,

Mr. FOX rose, and stated, that he had uniformly opposed clauses of this kind in all Divorce bills, on which he had been called upon to give his vote in that House; and he should most certainly continue to do so, because it appeared to him to be contrary to the first principles of natural justice, to decide upon the rights of individuals who were not parties, and had no opportunity of being heard in their defence. Whatever might be the impression on the minds of gentlemen, from the testimony which had been just adduced—upon no principle of justice could it prove any thing, or be in any shape considered as evidence

with respect to the children, who were not parties, and of course could have no opportunity either of cross examining the witnesses, or of re-arguing their testimony by a contrary proof; and, in this particular case, the general argument on which he rested his opinion, might perhaps apply still more forcibly, because there was no party actually before the House, who appeared to have an interest to disprove the testimony of these witnesses. Besides, as this was a matter properly cognizable in Courts of Law, there could be no necessity for this extraordinary interference of the Legislature; with respect to the Divorce, the case was different; for the *Vinculum Matrimonii* could not be dissolved, so as to enable the parties to marry again, except by act of Parliament. Mr. Fox went at large into the subject, and concluded with giving his most determined opposition to the clause.

The honourable Mr. ERSKINE differed entirely from his right honourable friend, and supported the propriety of bastardizing clauses in Divorce bills, both from precedent and upon principle. He was not prepared to charge the Legislature with having violated, in a great variety of cases, every principle of justice; on the contrary, it appeared to him both just and proper to relieve a man from the dreadful calamity of having a spurious race of bastards fathered upon him, and it was frequently of the greatest importance both to the honour and interest, and to the peace and quiet of families. In this case, he thought the evidence which the Committee had just heard excluded the possibility of belief that the children were or could be the children of Mr. Stewart, and he would therefore support the clause.

The Attorney and Solicitor Generals, Mr. Hawkins Browne, and Mr. Jenkinson, spoke against the clause; and Mr. Anstruther and Mr. Burke in favour of it.

The House divided,

For the clause	-	-	-	-	86
Against it	-	-	-	-	30

The bill was then ordered to be read a third time on Monday next.

The ATTORNEY GENERAL said, it had been intimated to him, that the question which the Committee had just determined should be discussed before any other business; he

did not bring forward the motion of which he had given notice respecting traitorous correspondence, but he should bring it forward at the sitting of the House to-morrow instead of this evening.

Mr. Chancellor PITT said, that understanding this subject was not likely to lead to very great length, he should trust the army extraordinaries should be brought forward afterwards; and perhaps that the House would think it desirable, that some regulation should be made with regard to the remaining part of the petitions for contested elections. All the questions respecting the seats, except one, were now determined, the others were respecting the rights of election. He should have something to submit on that subject to-morrow.

Mr. Secretary DUNDAS observed, that he had given notice of bringing forward the affairs of India on Monday; but as there were some manufacturers, whose information he wished to have before he brought the subject before the House, and as he believed that could not be obtained so early, he should defer the business for some days.

The House adjourned.

*Friday, 15th March.*

Mr. BASTARD, as chairman of the Select Committee for trying the merits of the Cricklade election, reported that Mr. Petrie, one of the petitioners, had been arrested on a process from the Court of King's Bench, and another from the Court of Common Pleas, and that he had applied to the Committee and claimed his privilege to be relieved from these arrests.—Ordered, that the report be referred to a Committee, to examine the matter thereof, and to search for precedents; and that the Select Committee have leave to adjourn till Tuesday.

Agreeably to the intimation which he had yesterday given,

Mr. ATTORNEY GENERAL rose, and began with stating that he knew too well the importance of the subject on which he now meant to move the House for leave to bring in a bill, not to give previous notice of his intention to bring forward such a motion. But first, he should explain what he meant by the phrase correspondence; his bill was intended to prevent all traitorous correspondence; but here he did not mean correspondence in the popular sense, as to prevent the

passing of letters would destroy all commercial communication, but in its legal sense, namely, all commerce and intercourse with His Majesty's enemies. And now he should proceed to state the object of his bill. The law of treason was founded upon a Statute of the 25th of Edward III. which had been the subject of legislative exposition in different acts passed since that period. He should mention what were the acts made treasonable in that Statute. These were—1st, Compassing or imagining the death of the King; a phrase which, as undoubtedly it was of great latitude, the Judges had always been of opinion, that in order to constitute this degree of treason, it was necessary that there should be some overt act. 2d, It was declared treasonable if a man should levy war against the King; or adhere to His Majesty's enemies, and aid, comfort, or abet them. The third act declared treasonable was counterfeiting the King's money. The authors of this Statute had undoubtedly deemed it necessary to reduce the law of treason, as far as laid in their power, to a degree of certainty; but had left it expressed in these general terms, as they could not foresee the circumstances which might arise in after times, to which the description of treason might apply. Accordingly the Legislature had found it requisite, at different periods, to declare what particular circumstances constituted overt acts of treason. From the time that this Statute passed, down to the reign of Queen Mary, different explanatory acts had from time to time been made. During her reign, all these acts were repealed, and the law restored to the original footing upon which it stood by the Statute of King Edward. In this detail, he had only followed the account given by my Lord Hale, whom he had taken for his guide upon this occasion, and if he did not read this account in his own words, which were much better than any expressions that he could use, it was only that he might not occupy too much of the time of the House. An act had passed in the reign of Queen Anne, to prevent all traitorous correspondence, which prohibited any persons from supplying the enemies with arms, naval or military stores, or from going out of the kingdom to the enemy's country without licence. A similar act, which had passed in the reign of William and Mary carried the regulation farther: It not only prohibited all supplies of arms, &c. but of goods

and merchandize of every sort. The bill which he meant now to propose, was founded nearly upon the principle of these acts. It was his intention to prohibit any person from selling or delivering, or causing to be delivered for the use of the persons who compose the French Government, or of the French armies, any of the articles specified, such as arms, military stores, provisions, bullion, or woollen clothes, under penalty of high treason. But in order to soften the rigour of this penalty, he meant that it should be understood as in the case of persons counterfeiting the King's money, and should not convey any attain in the blood, or debar the next heirs from inheritance. It was his intention in the next place to prevent any persons from contracting for the purchase of lands in France, or from purchasing in their funds, or lastly for advancing money upon the purchase of lands, &c. The motive of this prohibition would easily be perceived. The French proposed to themselves to carry on the war against this country by the sale of lands. Now a question arose, whether, by allowing our subjects to purchase lands, we should not give them an interest in the property which they had thus acquired, while we furnished the French with the means of carrying on war against ourselves. His third object was, that no persons should be allowed to go from this country into France, without a licence under His Majesty's Great Seal; and that their neglecting to obtain this licence should be deemed a misdemeanor. But what he deemed a regulation of material consequence was, that no persons, though subjects of this country, coming from France, should be allowed to enter this kingdom, without either a passport or a licence. If they should not be furnished with a passport or licence, that they should be obliged to deliver in a declaration to the master of the vessel with whom they had come into the country, who should immediately transmit it to the Secretary of State, and that in the mean time they should not quit the place where they landed, or any certain distance that should be fixed, without receiving permission, or without giving security before Justices of the Peace for their good behaviour. At a time when the characters of persons coming into this country were liable to suspicion, he hoped this regulation would be deemed proper, in order to ascertain of what description they were, and what were their objects.

The last clause of his bill was to prevent the insurance of vessels either coming from France, or going to France. Such was the general outline of the bill, which he meant to propose, and he trusted, that there would appear nothing upon the face of it, to prevent it from meeting with that favourable reception which was usually given to bills in their introductory stage. He concluded with moving, "That leave should be given to bring in a bill to prevent all traitorous correspondence, &c."

Mr. FOX declared that he could not omit even this first opportunity to express his disapprobation of a bill, the regulations of which he regarded as either useless, or unjust, or impolitic. If the learned and honourable gentleman meant to say that there were doubts to be removed on the law of treason as it stood; that many points in that law were not well understood, and that the subjects of this country might, without knowing it, incur the penalties of the law; if gentlemen of the long robe, notwithstanding their great learning, said, that still to them this law was doubtful, it ill became so unlearned an individual as himself to say, that a bill to explain that law was not necessary. But he who had never before heard of those doubts, had no reason till now to think that law obscure, and therefore could not feel the necessity of a bill to explain it. However, if he was deficient in knowledge upon that subject, he must allow of course that a bill might be necessary for the purpose of explaining the law, and then the question would be, in that respect, whether the provisions of the bill now opened conformed to that intention. To him they appeared of a very extraordinary nature. The first part that struck his mind was, the restraint upon the purchase, by any subject of this country, of any land in France. The bills to which the learned gentleman had alluded upon that head as precedents, were not in his mind very highly deserving of imitation; for in this, and every other country calling itself free, he had always held that property was in the highest degree entitled to the protection of the law; and, if so, there could be no doubt but the power of disposing of it was to be considered under the same protection, both of which were violated by the present bill.—

The second ground upon which the bill proceeded was, that the possession of land in France, by any of His Majesty's subjects here, might become hostile to the interests of this country. Should the learned gentleman not have stated some specific inconvenience that this country ever felt by any of its subjects having possessions in any other? British subjects had had from time to time many such possessions, and no evil, which he ever heard of, had hitherto resulted from that circumstance; and he was firmly convinced, that nothing at this moment could be more dangerous than holding out that idea, nor was there any thing at the present that made it appear more dangerous to have such possessions than at any other period. Indeed, he never expected to hear a proposition maintained in any part of the world, least of all in Great Britain, that we should not subscribe to loans, or engage in the funds of any country, or that those who were at war with us, were not to have their property considered as sacred; the direct contrary had always been the rule; and it had been always held out, that property of every kind was secured to the use of its possessor, as well during war of any kind whatever, as in times of the most profound peace. Something to the reverse of this had been started, and proposed during the American war, respecting property held in Pennsylvania; but the Minister of that day rejected with disdain a proposition so unjust and so impolitic; for observing that the sacredness of the possession of property was the basis of a free state, the honour, and ultimately the safety of the kingdom, might entirely depend upon that principle. This was wise, as well as honourable. This principle was totally destroyed by the spirit of the present bill. But if we looked at the interest of this country, independent of any other consideration, he was convinced that we should not stop the intercourse between this country and France with respect to the purchase of lands, or the investing of money in the funds. Had we lost all sense of the advantage to be derived from keeping that open? Was it likely that much of the money of the people of this country would be laid out in purchases in France? Or was it not rather more probable that many of them would make purchases with us? We had always encouraged foreigners,

even in time of war, to deal in our funds; and we had always held their property sacred; and he would ask, whether encouragement afforded on both sides to deal in the funds, would operate most in favour of this country, or of France; of that which had most, or that which had least credit?—Was it to be supposed, that men would be so blind to their own interest, as not to perceive and avail themselves of this advantage? These considerations would be defeated entirely by the present bill. The next provision of this measure, went to declare it treason to supply the French, or any in alliance, &c. with them, with arms. If that part of the law was to be thoroughly revised, perhaps, he might have something to offer to the attention of the House upon that subject; but considering all war of late years in Europe as contests of revenue, rather than of arms, he questioned whether it would not be of advantage to this country to trade with its enemies, and perhaps to sell to them even articles of arms, whilst we had prompt payment, at our own price, for them. With respect to the prohibition of Englishmen going to France without a passport, as described in the bill, he should pass it by, as he considered it as the least exceptionable clause. But as to the provision against Englishmen returning to their country, it was monstrous enough to make the learned gentleman himself afraid of stating it. It was giving a power to the King to banish, during the war, every British subject now in France. But it seemed he had the power of returning in certain cases, by giving security, &c. for his good behaviour. Who was to be the judge of the amount of that security?—This was to be left to a Magistrate—Here again a man was to be put under the discretion of another person, who might render his return impossible by exacting security to an amount that could not be given. If one man was to be at the discretion of another in the dearest of his rights, that of living under the Government and partaking of the advantages of the Constitution of his native country, he must ask upon what principle it was, that we were daily congratulating each other, and praising our laws to foreign nations? Where was the foundation of our boasting if an English subject, the most meritorious English subject, (and because he was meritorious



he stood a great chance of being obnoxious to His Majesty's Ministers,) was to be at the mercy, whim, or caprice of any creature of the Crown, who had the power to say to him, without assigning a reason, you shall not come over to this country, because I do not chuse you, shall come. As to the insurance of ships belonging to France, the question did not involve any principle; for the preventing of Englishmen from paying the losses of the French was right enough; but he wished to know of what utility the prohibition would be.—The truth was, that the premium was always more than equal to the risk, and the balance was in the favour of the under-writer. If, for instance, out of one hundred insurances, the profits of the premium was much more than the loss at the expiration of the policy, then England will have gained, and France will have lost—why, then, he must say, that he did not see the reason for this restraint upon trade. But, however, he had less objection to this clause than he had to many of the others, because it appeared to him to be merely foolish. He ridiculed the Attorney General's definition of the word correspondence, and thought that the people of this country needed not to be told, that, if they entered into any agreement with the enemies of the State to perform any thing that tended to its injury, they were amenable to the law. However, if the learned gentleman thought the people of this country were so ignorant of their duty to the State, it was kind in him to tell them what they were liable to in cases of neglect or positive offence. He concluded with saying, that the whole of the bill, as opened by the learned gentleman, was entirely unnecessary, and many parts of it repugnant to the common principles of justice; its provisions were either detestable or useless, and he believed it made part of the support which Ministers found themselves under the necessity of lending to the false alarm of treason and supposed sedition lurking in this country. If the first clause of the bill was necessary, he was sure that part ought to stand alone.

Mr. SOLICITOR GENERAL defended the propriety of the bill. He did not pretend to say that any gentleman on that side of the House was less attached to the constitution.

than himself; but he could not help observing whenever the subject chanced to be started, a foreboding which seemed to imply a consciousness of something. He defended, with much ability and legal knowledge, the bill proposed by his honourable friend—and first he observed as to the term correspondence, that it was not so well understood as the right honourable gentleman (Mr. Fox) seemed to think; for many gentlemen had applied to him for an explanation of it; so that it was not the illiterate alone that misconceived its signification. The Statute of Edward III., he remarked, left the law of treason in some doubt; because, the nature of treason was, in some measure, to be determined by existing circumstances; and of consequence there had been continual declarations of what, in particular instances, constituted treason: first, with respect to the clause of the present bill, prohibiting any persons to furnish the enemy with arms, which, surely, was a treasonable act, as it was aiding the King's enemies. But, to rest the matter merely on the question of policy, if these arms were articles essential to the French, in order to carry on the war, and if this country was particularly advantageous for the purpose of supplying them, it was surely something, even in point of policy, to deprive them of this advantage. But the force of this reasoning was increased, if the situation of France was such, that it could not supply itself with these articles from any other quarter; and if by being deprived of these, it was left destitute of the means for carrying on the war. Other wars, it had been stated, were rather contests of revenue than of arms: in this war, the case was different: the French were waging war with their whole substance; and if we contended with them on the ground of revenue, they would certainly have the advantage. As to the purchase of lands, he stated, that one of the other causes of the calamities of the American war, was the private interest of individuals in consequence of their possessions, which induced them to take a part contrary to their sentiments. How, he asked, was France to lavish her substance? She had determined to sell her lands for the support of the war: she could not sell them to herself; and to whom could she sell them with more advantage than to persons in this country? As to the prohibition of persons to go to France, he observed that the intentions of those who should visit that country were suspicious,

except a proper case could be made out, and then a licence would be granted them. As to the regulations with respect to persons coming from France, their only object was to ascertain of what character and description they were. And, surely it could not be deemed a matter of great hardship to put a restraint on a few individuals for the general safety? The point of insurance, he remarked, was a question of more doubtful policy; but there was little probability that our vessels would be insured by them; and when we considered our own very extensive naval force, and that by insurance we afforded a sort of convoy, he trusted that the propriety of this clause would likewise appear. He admitted that the observations of the right honourable gentleman who spoke last applied to the subject in part, but not altogether; for although the commerce upon the insurance might be in our favour, and we lost that advantage by the present regulation, yet this reasoning only applied when the prospect was distant; but here we expected the evil to be short, and therefore the giving up of a temporary advantage, for the purpose of hastening the conclusion, would be of eventual benefit; for we were not to measure this like any other war, as it depended chiefly on the exertion of the moment. Under these circumstances, he deemed the bill not only unobjectionable, but highly politic. He should again repeat, that the Authors of the Statute of Edward III. had left the law of treason in doubt; that the circumstances in which this country stood, in respect to France, rendered the present bill necessary; and that its regulations were sanctioned by the authority and example of the acts which had passed in the reigns of King William and Queen Anne, when war was carried on by the French upon the same footing as at present—not only by attack, but by interference in our internal policy.

Mr. MARTIN said, that he had endeavoured as much as he could, to prevent the country entering into a state of war. War was always attended with calamities, and of a nature which fell most severely upon the poorer class of the community, who were least able to bear them. Now that the country was engaged in a war, it was his object to put an end to it as soon as possible. He thought that the tendency of this bill was to prevent the French from continuing the war; and therefore he should give it his support; but, if in a more advanced

stage, it should appear to him to be attended with any oppression, he should leave himself at liberty to oppose it.

Mr. ERSKINE said, that when the learned gentleman threw out some expressions concerning the foreness of some persons, he was persuaded he did not mean to insinuate that there were any persons in that House less desirous than himself to see the prosperity and glory of this country advanced; if he had that unworthy suspicion he was sure that learned gentleman would have been manly enough to say so. In many instances on the present occasion, had the Attorney and Solicitor General the advantage of him; they had studied the point for some time, and therefore must understand it. He had no information upon treason, for such was the affection of the people of this country for their Monarch, such their reverence for their Constitution, and obedience to the laws, that for the fifteen years he had been at the bar, he had witnessed but one trial for high treason; this shewed the temper of the people of this country better than any comment that could be made upon them, and was the best answer that could be given to the foul calumny and infamous libels cast upon them when they were charged with sedition and treason. Mr. Erskine took up the bill upon the ground of law, and maintained that it was contrary to the best policy of all the wise and good of our ancestors; contrary to the opinion of the first authorities in the world upon that subject. He had lately looked into my Lord Hale's work, whom the learned gentleman who had moved for leave to bring in the bill, had professed to take as his guide. He hoped the Members would read the work. No man ever more disapproved than Lord Hale, of those temporary acts which had been made in addition to the Statute of Edward III. In Edward IV's reign, a circumstance which the learned gentleman had not mentioned, all these acts had been swept away. In the reign of Mary, they had again been swept away. Thus you have the sense of Parliament on these occasions with respect to those acts—Acts of treason sprung up like weeds and were swept away, not only without any inconvenience, but with the most salutary effect. It was their duty to take care not to shake the fundamental principles of the law, by unnecessary acts of legislation. No man could be guilty of treason unless his mind was proved to be traitorous. He remarked the ten-

dency of the present bill to throw suspicions upon the people. As if the people were in danger of falling into acts of treason, the King's Attorney General comes forward with a bill, explanatory of the Statute of Edward III. to tell them what circumstances in the present period would be deemed treasonable. For my part,

*Timeo Danaos et dona ferentes.*

The Attorney General gives explanations of the Statute of Edward III. and upon these explanations the Judges would form new constructions. By this new bill, you make the act of treason independent of the mind; whereas, in cases of treason, the mind only was criminal, and the overt act served but as evidence to prove the criminal intention. The great value of the Statute of Edward was its certainty and simplicity.—Compassing or imagining the King's death, or adhering to his enemies, which were all strictly acts of the mind, were there ranked as treasonable. In the same spirit, it was deemed treason to confine the King, or take means to get possession of his person, because, as a recent instance had forcibly proved, short was the distance between the prisons of Princes and their graves. If this act passed, and expressed in such loose and general terms, then you will hang a man for high treason, as for the most petty offence against the Custom House, or for breaking down an old turnpike. The punishment will be inflicted without examining the mind or intention of the offender. New constructions, as he had stated before, would arise upon the regulations of this bill. Another Attorney General would come forward with a new bill which would give room for fresh constructions; and thus the liberty of the subject would be frittered away, till it was altogether destroyed. But it was urged that the circumstances of the times called for this extraordinary measure. Upon this Mr. Erskine maintained there was great delusion; for he maintained there was nothing in the present circumstances which could justify the lessening or endangering the liberties of the people. A false alarm had been created for the purpose of strengthening the hands of Government, and weakening the power of the people, and upon this artifice Ministers were to have unbounded confidence, and every body else was to be loaded with distrust and libelled with

charges of rebellion, and disposition for treason. Was there reason for this? Had the Attorney General any indictment against a single person? Had he any information of sedition? Had he even any suspicion of any one person in the kingdom being a traitor? Not one of these—yet the country was in a state that required the laws of treason to be amended. Had there been any treason, he should not be found to cavil upon the niceties of law for the punishment of the traitors, and he believed that the people of this country would join heart and hand to suppress the mischief. If the country was hollow—if it was divided in itself, then indeed there might be a necessity for such regulations as those of the present bill. Parliament, indeed he knew was omnipotent, but it ought to show a discretion in the choice of occasions for the exercise of its power,

*Nec Deus interfit, &c.*

He then proceeded to remark on the other clauses of the bill. It was surely rather romantic to prohibit persons from purchasing lands in France, in the present distracted state of that country, while this kingdom was in a situation so highly prosperous, and afforded so many favourable opportunities for the employment of money. Instead of prohibiting persons to deal in the French funds, Ministers should rather take care that a calamitous war might not prevent them from purchasing in our own. The regulation to prevent subjects from coming from France to this country, without a licence, or finding bail, was highly objectionable; many of them were persons whose going abroad was unavoidable, some for the recovery of their health, and some from the derangement of commercial dealings; with respect to these persons the regulation was oppressive, as it put every thing in the power of Ministers; it was impolitic, as it seemed calculated to disgust, at the moment when we should be most solicitous to render this a land of freedom and delight. On the subject of insurance, he remarked, that from the high premiums demanded in war, the balance must be in favour of our insurers. He concluded with again adverting to the Statute of Edward III. which he considered as all that was necessary, and as calculated to meet every occasion on which the crime of treason could fairly be alledged.—

The present bill he considered as both unnecessary and dangerous. He said, shew me the necessity, and I will go hand in hand with you in any act that can be brought forward.

The honourable FREDERICK NORTH thought it highly necessary and expedient to prohibit the subjects of this country from purchasing lands in France, or from investing money in the French funds; because, France being unquestionably in the greatest want, both of money and credit, it became both our interest and our duty to take the most effectual means in our power for preventing her from supplying those wants, and of course depriving her of the means and sinews of war. Upon the propriety of the prohibition, as to furnishing arms, ammunition, &c. to the French, all parties seemed to be agreed: and with respect to the proposed regulations, as to His Majesty's subjects going from this country to France, and returning from thence, they appeared to him highly proper and essentially requisite; believing, as he did, what were, in general, the intentions of people who now go to France, and with what intentions they return from thence.

Mr. CURWIN said, he had highly disapproved of the present war; at the same time, now that we are actually engaged in it, he was certainly as much inclined as any man, to give every support that might be necessary for carrying it on with vigour and effect. The proposed bill, however, going to an extension of the laws relating to treason, which he thought a matter of great delicacy indeed, he was decidedly of opinion, that it was previously necessary to have laid before the House some good reasons for so strong a measure. He had heard of none such; and he should therefore think it his duty to oppose the present bill in every stage.

Mr. YORKE was of opinion, that in the present early stage of the bill, the only question before the House was, whether the principle of the bill ought to be entertained at all? As to which, under the present circumstances, he thought there could hardly be a doubt: it seemed to him preposterous, to be now debating on the particular clauses of the bill, which in fact were not before the House; he would not therefore, enter upon that subject till the bill should be brought in, and that the clauses should come regularly to be debated.

The ATTORNEY GENERAL said, that he was not displeased the debate had gone into greater length than might perhaps have been expected in the present stage of the business, because some useful hints had been thrown out; and he was anxious to receive every information, as it was no doubt a matter of the highest importance, and deserving the most serious consideration. He proceeded to take notice of several arguments and observations, which had fallen from his honourable and learned friend (Mr. Erskine,) many of which appeared to him to be unfounded; and, after endeavouring to obviate some objections which had been thrown out against some of the proposed regulations of the bill, he said, that Mr. Erskine seemed to proceed on the idea, that the Statute of the 25th of Edward III. is the only treason law existing at this day: but, is there not an act now in existence, declaring it high treason to assert that the King, Lords and Commons, have not power to regulate the succession to the crown? Have not some persons, at this day, gone in fact much farther? Have they not even written what, in truth, amounts to this, that we should have no King at all in this country? Though not precisely in such a way that they could be laid hold of. Upon the whole, he conceived the bill, under the present circumstances of the country, to be absolutely necessary in its principles, whatever objection there might be to any part of the detail of its regulations; but he trusted he had said enough to satisfy the House, that leave ought to be given to bring in the bill, that it may at least be looked into, and may not be decided upon till after a full and deliberate discussion.

Mr. FRANCIS begged to ask of the honourable gentleman, whether he had received any information of money having been remitted from this country to France in order to be invested in the French funds, or to be employed in the purchase of lands there?

The ATTORNEY GENERAL said, that he did not find any thing either upon the affirmative or negative of the question put by the honourable gentleman. Leave was given to bring in the bill, without a division; and the Attorney General said, that he hoped to be able to bring it in on Monday next.

Mr. Chancellor PITT moved, that the orders now standing for balloting for Committees on four questions remaining to



be tried, respecting rights of election, should be postponed till next session.—Ordered.

Mr. Sheridan and Mr. Fox stated the necessity of bringing forward a bill in the present session, containing regulations for preventing the delays that at present take place in determining on election petitions under Mr. Grenville's act; the urgency of which the House ought to be impressed with, from the circumstance which had just occurred of several petitions being left undetermined till the fourth session of the present Parliament.

In a Committee of Supply, the Secretary at War rose to move the several estimates.

On the first resolution, viz. The expence of the Hanoverian troops, subsidized for the assistance of Holland,

Lord FIELDING said, that this requisition ought to have come three months ago; and he charged Ministers with the most criminal negligence, in delaying to give any assistance to the Dutch: there appeared such a general lethargy in all the operations of Ministers, that it was scarce possible to believe we were at war. His Lordship went into a long detail on this subject, and blamed, in strong terms, the delay in subsidizing the Hanoverian troops; he said, that Ministers had sent only a handful of troops from this country to Holland; and that, from the improper delay that had taken place in embarking them, they had been met by a storm which had occasioned the most serious alarm for their safety, and that of the Royal Duke who commanded them. His Lordship then adverted to the progress of the French armies, and to the check which had been given to them by the Austrians and Prussians raising the siege of Maastricht; and said, that if this country had afforded to the Dutch such timely assistance as we ought to have done, the taking of Breda, and the other previous successes of the French, might have been prevented: it was surely the duty of Ministers to state some cause for such blameable remissness.

Major MAITLAND said, that what had fallen from the noble Lord who had just sat down deserved undoubtedly some answer from Ministers; for much of what the noble Lord had said was extremely well founded. Ministers had explicitly acknowledged that on the 17th of December they considered the French as an enemy in a state of hostile preparation. They

knew the defenceless state of the Dutch, and the danger that threatened them, and yet they did not enter into any negotiation for subsidizing the Hanoverian troops till February 22; and the Guards did not sail till the 23d of February. Was this an exertion becoming a great and powerful nation at so critical and important a crisis? These Guards he would not call a handful of troops, as the noble Lord had done; they were 1700 of the finest and best troops, he believed, in Europe; under the command of an illustrious branch of the Royal Family; but speaking as a professional man, he would ask if they had been sent with any prospect of victory? Or whether they had not run the most imminent risk of being sacrificed, had not the progress of the French been providentially checked, and the siege of Maëstricht raised by the Austrians and Prussians, a matter with which Ministers could not, at the time, be acquainted, and from which they could claim no credit.

Mr. Chancellor PITT said, that though he was somewhat surprised at the mode of discussion that had taken place, he was happy to find that he was not to meet with any opposition prospectively, and that no objection would be made to the resolution now under the consideration of the Committee. With respect to any retrospective view of the measures which His Majesty's Ministers had thought necessary, and been enabled to adopt, he did not suppose the Committee would desire to hear any detail of them; but he was anxious to make a few observations upon some questions that had been put to him. The honourable gentleman who spoke last desired to know why no steps had been taken to subsidize the Hanoverian troops till the 22d of February. To this he would answer that steps had been taken long before that time for the purpose of arranging matters so as to bring these troops into the service of this country, though their pay is only stated from that time. With respect to the troops sent from this country, he begged leave to say, that considering the season, and the small army establishment always kept in this country in time of peace, he could not conceive that there was any backwardness on the part of Government, if a body of near 2000 troops had been raised immediately on the first accounts of the attack upon Holland, which had failed in a few days afterwards. In fact, the States General themselves are of opinion, that they have received

from this country a vigorous, speedy, and timely supply, and which did arrive in time to render them very essential service. Indeed, this would be found to be a great exertion on our part, if compared with what we had been able to do at the commencement of any former war. The honourable gentleman seemed to think that Ministers were endeavouring to take credit from what had been effected by the Austrians and Prussians; this they certainly by no means do; at the same time the exertions of the Austrians and Prussians on behalf of the Dutch may not probably have been altogether unconnected with the preparations which they saw the Government of this country were making, and the confidence they had in its determination to give the most vigorous assistance to its allies the Dutch. On the subject of the alarm, with respect to the safe landing of the Guards, he would only say, that undoubtedly they had been overtaken by very tempestuous weather, which unquestionably His Majesty's Ministers could neither foresee nor prevent. As to the transports, he knew of nothing to be remarked, with respect to them, except their having been fitted out with unexampled dispatch.

Major MAITLAND said, that the right honourable Chancellor of the Exchequer, by insinuating that 1700 men sent from this country had excited the exertion of the Austrians and Prussians, had certainly shewn every disposition to take credit to Ministers for the effects of that exertion. He begged leave also to say, that the right honourable gentleman had totally misunderstood him in supposing that he had alledged that no steps had been taken for subsidizing the Hanoverian troops till the 22d of February; but it must be recollected that, prior to that time, more than two months had elapsed from the period at which Ministers had conceived France to be in a state of hostility against this country, which was surely more time, than could be required for such a negotiation.

Mr. FOX said, that notwithstanding his anxious desire to provide for the most vigorous prosecution of the war in which this country is engaged, he still felt a great deal of reluctance in giving his vote to take money from the pockets of the people, which was to be placed under the disposal of men who had uniformly, upon every occasion, exhibited such disgraceful remissness and inactivity, as His Majesty's present Minis-

ers. It was evident from the silence and concealment observed, about a matter which ought to be of public notoriety, that these Hanoverian troops have not yet been brought forward, and that their action is only to be future; although Ministers, as far back as the 17th of December had explicitly declared France to be an enemy to this country, in a state of hostile preparation. How strange that a negotiation with the Elector of Hanover should be a matter of such difficulty! But it seems the supineness of Ministers, in this instance, is to be made up by their activity and exertion, with respect to sending over the Guards to Holland. Mr. Fox said, he had expected to hear that the Guards had been sent as soon as the war was declared; but no; he had watched the right honourable gentleman's words, which were, that they had been sent as soon as Holland was invaded: on some occasions, indeed, three weeks is a short time; but he believed that in no æra of history could so short a space of time have been of such importance as on this occasion. If it is possible, as has been said, that our troops arriving at so late a period, have, in fact, wrought wonders; had they arrived at an earlier period, they would have saved Breda and Gertrudenberg. The right honourable gentleman had said, that the storm could not be imputed to Ministers; surely not; but from the improper delay, which was imputable to them, the storm was encountered. The report was generally believed that the transports had been delayed for want of ballast; and he had it from still better authority, that they were delayed from want of their field pieces, notwithstanding the large sums voted for the Ordnance. It had been answered, the troops were sent as soon as Holland was attacked; but Ministers must be considered as children, if they had not foreseen the attack upon Holland; and yet they delayed sending to the relief and assistance of their allies, a reinforcement which they acknowledged to have considered as a material defence to them, for no less than three weeks after the declaration of war. In the mean time Breda and Gertrudenberg were taken, a matter of the utmost importance to the enemy. Another answer is stated, that the Dutch are satisfied; but is it not a very possible case, that the Dutch, being in so defenceless a state as not to dare to state their alarms at the hostilities of their enemy, might hardly dare to find fault with those who proved to be their friends? Mr

Fox said that, in his opinion, the right honourable Chancellor of the Exchequer had brought forward all his warlike preparations into the debates in that House ; his negotiations too had been warlike ; his preparations for war were alone pacific. Though he had objected to the war in the strongest terms, he wished, as he believed every gentleman did, that it should now be carried on with vigour ; he only regretted, that the conduct of a war so interesting to this country, should be in the hands of men who had, on every former occasion, as well as the present, proved themselves totally unfit for so very important a trust.

Mr. Chancellor PITT said, that in the present stage of the war, he had formed his resolutions upon two points—to be satisfied with the consciousness of having omitted nothing that his duty called upon him, and the situation of the country enabled him to do, and not to be provoked by any invective to enter into details for his justification, which both the time and the circumstances made unfit to be disclosed. If the right honourable gentleman thought the mode he had now adopted of supporting the war in which the country was engaged, a proper mode, and if he thought that by the sort of argument he had chosen to pursue, that he had made an advantageous impression upon the Committee, let him enjoy in the privacy of his own reflections the satisfaction of having done his duty. Did the right honourable gentleman imagine, that after war was declared, with the very narrow military establishment to which this country had always confined itself, Ministers could safely send any part of the troops on that establishment, without a careful review of the general distribution of the land forces for internal defence ; or did he suppose that such an examination of the general and local force could be made in a shorter time ? If the Committee did not feel this to be a sufficient answer to all the right honourable gentleman's charges of delay, they might then believe that those charges were well founded ; if they did, they would acquit His Majesty's Ministers, and give them credit for having made every exertion in their power to vindicate the honour of the nation, and protect our injured allies.

Mr. FOX said, his support of the war, now that we were engaged in it, was as sincere as that of His Majesty's Ministers,

although on very different grounds. He wished it to be supported with vigour, because, by a vigorous war, we should most speedily obtain adequate and honourable terms of peace. Of those terms he had formed a clear and definite idea—Ministers had not, or at least had never condescended to state any idea on the subject to the House. He certainly did not think supporting the neglect or the blunders of Ministers the best mode of supporting the war: for he knew, that they, and all other Ministers, would do their duty better by being carefully watched than implicitly trusted. Let the Minister shew that there would have been any danger in sending 2000 men to Holland in the beginning of February, instead of keeping them till towards the end of it; and then his argument might be good for something. Would he call to his aid those plots and insurrections which had been so much talked of, but never seen, as a pretext for three weeks delay? Those plots, he imagined, had done their duty, and were dismissed from the service, to be pressed into it no more.

Mr. Secretary DUNDAS said, he had hoped the favourable change in the aspect of the war would have produced a degree of good humour in the mind of the right honourable gentleman. The right honourable gentleman took credit to himself for supporting Government in carrying on the war. For such support as he had that day given neither the Government nor his Country would feel much indebted to him. It was asked why the men that were sent to Holland were not sent three weeks sooner. Could Ministers have sent 2000, or 4000, or any considerable number of troops out of the country, before they knew the rapid success of the measures they had taken for recruiting and augmenting the army? Did the right honourable gentleman imagine that the Dutch were to do nothing for their own defence; that they were to trust entirely to this country? After they made a requisition for military aid, there was not an hour's delay in sending it. He defied any man to produce an example of greater dispatch; and very seasonably, and with the happiest effect, in the hour of their greatest danger, had it come to them. In the same manner, when they called for a naval aid, the ships were at the place of their destination almost before they could have hoped that the order for them was given. For the readiness which His Ma-

jeſty had ſhewn to ſuccour them the Dutch expreſſed the higheſt gratitude ; and to repreſent our preparations as dilatory and inadequate, was rather to encourage the enemy than to plead the cauſe of our allies.

Mr. SHERIDAN ſaid, the argument, that men, by any diſapprobation of the meaſures of Government, were acting againſt the intereſts of their country, when the marked miſ-conduct of Miniſters was what every Member of the Houſe ought to reprobate, would be a plea for a general indemnity to Miniſters, however weak or wicked might be their conduct. Support, with a vigilant obſervation of their conduct, was a ſupport for which the preſent Miniſters would be as little diſpoſed to thank any other gentleman as his right honourable friend. The ſupport which they wanted was of another ſort, lately deſcribed in the Houſe — a ſupport that ſhould increaſe with their demerits — a confidence that ſhould increaſe as they ſhewed themſelves leſs worthy of it. When the Chancellor of the Exchequer laſhed the errors of Adminiſtration in the American war, which his right honourable colleague (Mr. Dundas) defended, he did not think that he was ſupporting the enemies of his country. But the ſentiments of the right honourable gentleman were very properly changed with his ſituation. To ſay that Miniſters had not done all they could, was not giving encouragement to the enemy. It was to ſay, that whatever opinion they might have been led to form from the neglect and delay of Miniſters, the country poſſeſſed great vigour, and great reſources, capable of being brought into action when Miniſters were made to do their duty. They themſelves had admitted, that early in December they ſtopped the French ſupplies of corn, as a meaſure of precaution againſt an enemy in a ſtate of preparation for war. Could they produce any reaſon to ſhew that it was not as proper to begin preparations of defence as to interrupt the preparations of the enemy ? On the very firſt day of the meeting of Parliament he had ſaid, that if we were to have a war, it ought to be a war of activity and vigour ; and had Miniſters but acted as they talked, ſo it would have been. But they ſeemed to have exhausted the whole ſpirit, to have unbraced the whole energy of their minds in declamation in Parliament, and, when the ſeaſon for action came, to have been incapable of acting.

He hoped the lesson they had now received would prevent the necessity of another of the same kind. He trusted that they would not be found as backward in their naval as in their military preparations, and that if, as was reported, a French fleet had sailed from Brest, there was a British fleet to meet it, whatever might be its destination.

Mr. Secretary DUNDAS endeavoured to explain that his declaration of the reason for stopping the French supplies of corn did not mean that they were then considered as an enemy.

Mr. SHERIDAN replied, and requested the precise words.

Captain BERKELEY rose, to say that there was no delay at the Ordnance Office; but, alluding to General Dumourier as the friend of a right honourable gentleman (Mr. Fox), he was called to order by

Mr. SHERIDAN, who said the expression was highly improper, and he wished to give the honourable gentleman an opportunity of correcting it.

Captain BERKELEY said, he did not apply the expression particularly to the right honourable gentleman, but to those who maintained the same principles of liberty which Dumourier maintained.

Mr. GREY and several other gentlemen called out to name them.

Captain BERKELEY said, those who had gloried in Dumourier's victory at Jemappe—a victory which he believed by far the greater part of the House, and of this country, thought a victory to be lamented.

Mr. FOX said, he should not have stopped the honourable gentleman: he should have asked him in another place what he meant by the expression. If he meant the private friend of Dumourier, he did not know that there was any harm in any Member of that House having been the private friend of the General of an enemy's army, before the war broke out. He was not, in that sense, the friend of Dumourier, for he had never seen him. If it was used in another sense, it meant something exceedingly injurious, and as unfounded as injurious.

Captain BERKELEY said, he meant nothing offensive nor personal to the right honourable gentleman. He did not hap-



pen to have any such acquaintance with him as to wish to offend him personally.

Major MAITLAND said, the expression was such as he little expected from any gentleman in that House. When did any of those who sat near him express any sentiments of liberty not consonant with order, and the principles of the Constitution? What it meant, and what it did, was to throw out a gross imputation on the parliamentary conduct of those to whom, by the explanation, it was applied.

Mr. Secretary DUNDAS said, the honourable gentleman had explained that he meant nothing offensive, which, for an inadvertent expression, was a sufficient apology.

Mr. GREY did not think the explanation sufficient, and recommended to the honourable gentleman to adopt the suggestion of the right honourable gentleman, and say himself that it was inadvertently or unguardedly spoken, and that he meant nothing injurious to the character of any Member of the House.

Captain BERKELEY said, he must acknowledge, on recollection, that it was an unguarded expression, for when the debates which he at first thought authorised it took place Dumourier was not an enemy. He then added a few words on the question in debate.

Mr. COURTENAY said, he knew, from indisputable authority, that the transports were not ready to receive the artillery of the guards when they were sent to Holland. They not only failed without their artillery, but without their cartridges—a most convincing proof to the Dutch of the hurry in which they had been dispatched to their aid, and a circumstance of expedition on which the Chancellor of the Exchequer and the Secretary of State might congratulate one another.

Mr. G. N. EDWARDS said, he had come down to the House with an intention of voting with the Ministry if there should be a division, because he wished them to be supported in conducting the war; but from the extreme flippancy with which they had managed the debate, if there were to be a division, he should now vote against them. He thanked the right honourable gentleman (Mr. Fox) for the seasonable lesson he had given them. If that right honourable gentleman had

been Minister of this country three years ago, it would not have been in this dangerous situation.

The question was put on the resolution, and agreed to.

The other resolutions were passed without any debate, and ordered to be reported on Monday.

In a Committee of Ways and Means passed resolutions for four millions of Exchequer bills. Ordered to be reported on Monday.—Adjourned.

*Monday, 18th March.*

The SOLICITOR GENERAL brought up the bill to prevent traitorous correspondence with His Majesty's enemies during the war, &c. Read a first time; ordered to be read a second time on Thursday next, and, on the suggestion of Mr. Hufsey, ordered to be printed.

Mr. ELLIOT, the Chairman of the Committee on the Stockbridge election, called the attention of the House to the report of that Committee. It appeared, he said, that, previous to the last election, a club had been formed to proceed regularly upon the business of bribery and corruption: at this club was chosen a common agent to transact the business; none could be admitted to this club but electors of Stockbridge. Here they debated, and finally determined upon their own corruption—settled the sum that each elector should take for his vote, as well as the security he was to require for the payment of it: he therefore trusted the House would see the propriety of coming to some measure to prevent such shameful proceedings in future; they owed it to their own honour and dignity. He then appealed to the evidence given before the Committee, the substance of which he had stated. He wished the House to observe, that his object was not punishment, but prevention: although, indeed, there was no excuse for these electors, for they were not persons who had been overcome by a sudden temptation—they entered into the business with premeditation—they were seducers as well as being seduced.—He then moved, “that the report of the Committee be read;” which being done, he next moved for “leave to bring in a bill “for preventing bribery and corruption in the election of “Members to serve in Parliament for the borough of Stockbridge, in the county of Southampton.” Ordered.

Mr. BRAGG said, he should move to-morrow for leave to bring in a bill to disfranchise the electors who had been concerned in this bribery.

Mr. Secretary DUNDAS said, he wished to know if there was any difference between him and any persons concerned in the affairs of India in their ideas upon future regulations, in what points they differed; for that purpose he proposed a delay of a few days. He now gave notice that he intended to move the resolutions on the government of India on Friday next, and the resolutions on the commerce on the Tuesday following. It was his intention then to move, that these resolutions be printed, and he should not call on the House for its opinion on these resolutions until the meeting after the holidays; in the mean time, he trusted that gentlemen would turn the subject in their minds, and bring forward their objections, that the whole business might be examined to the bottom with fairness and candour.

*Tuesday, 19th March.*

Formed a Committee on the Luggershal petition, and adjourned for want of a sufficient number to ballot for the Sudbury petition.

*Wednesday, 20th March.*

The House formed a ballot, and a Committee for the Sudbury election.

Mr. BASTARD brought up the report of the Committee to whom the report of another Committee on the Cricklade election had been referred. It stated the proceedings had by that Committee, and the evidence of the arrests and detainers of Samuel Petrie, Esq., a petitioner on that election. These arrests and detainers were out of the Courts of Common Pleas and King's Bench for debt. Mr. Bastard, after a short speech, moved, "That Samuel Petrie, Esq., be discharged out of the custody of the Sheriff of Middlesex."

Mr. Chancellor PITT, in a speech of considerable length, took a view of the law of privilege of Members of that House, and of the protection which ought to be extended to persons having petitions in contesting the elections of Members of Parliament, and concluded with supporting the motion.

The question was put, and carried *nem. con.*

Mr. HOBART brought up the report of the Committee of Supply, the resolutions of which were read and agreed to.

Mr. Chancellor PITT gave notice, that, in a Committee of Ways and Means, he should bring forward the particulars of the loan.

Mr. ELLIOT brought in a bill to prevent bribery and corruption in the election of Members to serve in Parliament for the borough of Stockbridge, in the county of Southampton. It was read a first time, and, on the question for its being read a second time on Thursday the 11th of April next,

Mr. ANSTRUTHER observed, that notice had been given of another bill to be brought in for the purpose of disfranchising the electors who had been guilty of the bribery and corruption complained of : he suggested the propriety of discussing both together.

Mr. SALISBURY moved for leave to bring in a bill to incapacitate those electors who had been found to be guilty of the bribery and corruption mentioned in the report from voting at elections in future for Members to serve in Parliament.

This produced a short debate, in which Mr. Powys, Sir Francis Basset, the Solicitor General, Mr. Mainwaring, Mr. Welbore Ellis, and others, took part. — Mr. Powys then moved an amendment, “ that this debate be adjourned to “ Monday next,” to which the House agreed.

Mr. YORKE moved for leave to bring in a bill to explain and amend the act of the 7th and 8th of William III. for preventing irregular proceedings of Sheriffs and other officers, as far as they relate to the return of writs for the election of Members to serve in Parliament. Ordered.—Adjourned.

*Thursday, 21st March.*

Mr. WILBERFORCE moved the order of the day for the second reading of the bill for preventing the working at canals during the corn harvest, which was read a second time, and ordered to be committed to a Committee of the whole House on Wednesday the 10th of April next.

Mr. POWYS begged again to call the attention of the House to a subject, with respect to which he had been already unsuccessful, both in a Committee up stairs, and in a Committee of the whole House : he meant the question as to li-

miting and applying the produce of the tolls in canal bills. His object was to prevent the granting unlimited profits to adventurers in canals, and for an unlimited period, as was at present the case, which he considered to be unfair to the Public, and to be attended also with other bad consequences. This had, in his opinion, no analogy whatever to the case of mercantile adventurers acting upon private speculation, for he certainly thought that wherever Parliament was called upon for the interposition of its authority, it had a fair title to limit the right which it conferred in such manner as might appear proper. It appeared to him highly material to put a stop to a spirit of speculation with regard to canals, which seemed to have gone to an alarming height, and he therefore thought the House ought to consider, and to ascertain, how far private benefit might be made to go hand in hand with public advantage; there were two ways of doing this, either by a limitation as to the extent of the profits, or as to the period of their duration. Mr. Powys said, he would propose that the regulations should attach upon all canal bills in dependence, and which had not actually passed; and he concluded with moving for leave to bring in a bill for limiting, regulating, and applying the produce of tolls in bills for making and maintaining navigable canals.

Mr. GILBERT and Sir CHARLES MORGAN made each a few observations.

Sir GEORGE YONGE thought it irregular to re-agitate a question which had been already determined upon during the present session.

The SPEAKER stated, that, in point of fact, there had been no decision whatever upon the question in the House, nor had it indeed been decided upon in the Committee.

The Master of the Rolls, Mr. Drake, jun., Capt. Berkeley, Mr. Serjeant Watfon, and the Chancellor of the Exchequer, supported the motion; which was opposed by Mr. Hawkins Browne, Sir John Sinclair, Mr. Hufsey, Mr. Wilberforce, Mr. Windham, and Lord Sheffield.

The House divided on Mr. Powys's motion;

Ayes	_____	93.
Noes	_____	57
Majority for the motion		— 36

Mr. WHITBREAD, jun. rose to express his fears from what had already happened this year in the House of Commons, on the subject of the slave trade, and the late period which the other House had fixed for proceeding to the consideration of the subject, and the examination of witnesses respecting it, that nothing effectual would be done this session for abolishing it, and that the trade would continue at least for another year to disgrace this country. He requested the honourable gentleman (Mr. Wilberforce) who had hitherto taken the lead in this important business, not to suffer his zeal to abate, but, on the contrary, to pursue, with double vigour, an object which in all times to come must secure to his name the gratitude and veneration of all true friends to humanity. He wished the honourable gentleman would be so good as to state to the House what were his intentions on the subject; and assured him, that if he was still determined to press for the abolition during the present session, he should be supported by him and his friends to the utmost of their power.

Mr. WILBERFORCE returned the honourable gentleman his thanks for this recent assurance of support; an assurance on which he could the more firmly rely, as in every stage of this business from the very commencement, the honourable gentleman had uniformly and unequivocally supported him. He was extremely sorry that a right honourable gentleman (Mr. Dundas) who had taken so considerable a share last year in the question of the slave trade, had not thought proper this year to pursue even his own plan; and he was equally concerned that the Lords had put off the consideration of it till after the Easter holidays. These two circumstances, he said, were certainly unfavourable to the idea of effecting the abolition this year; however he was not without some hope that though the present session was already so far advanced, it would see an act passed for the total abolition of the slave trade, every day of whose existence was disgraceful and injurious to humanity.—Here Mr. Wilberforce was called to order by

Mr. CAWTHORNE, who observed that there was no question before the House, and that consequently the honourable gentleman was irregular in entering then into a discussion of the slave trade: the irregularity, he said, was the more striking, after the intimation which the House had not long since

given of its opinion on this subject, when it negatived a motion for going into a Committee on that trade on the day specified in the motion, and put off the sitting of such Committee to that day six months; in other words, after the House had postponed all farther consideration of the business for the present session.

Mr. LAMBTON requested that Mr. Wilberforce would be so good as to answer him one question, which was, whether in case he should despair of carrying the measure of abolition this year, he would bring forward some plan for regulating the slave trade, as long as Parliament should think proper to suffer it to continue?

Mr. WILBERFORCE said, he did not like to give a direct answer to the honourable Member's question, because, were he to give notice of any plan for regulating the trade, it would be considered as a proof that he despaired of the abolition, when in reality he did not despair of it, but entertained hopes that he should at last be so happy as to effect it. Could he bring himself to fear that those hopes were ill founded, he certainly should be glad to regulate what he could not abolish.—Here the Speaker interfered, as there was no motion before the House.

The order of the day for the second reading of the bill, for preventing all traitorous intercourse and correspondence, &c. with France during the present war, was called for, and the Speaker having put the question, that the bill should be then read a second time,

Mr. CURWEN rose and said, that he had already troubled the House on this subject, when the learned gentleman moved for leave to bring in the bill: he could not help rising again to express his most hearty disapprobation of a measure, which to him appeared to be unnecessary in its object, ineffectual in its means for attaining it, and oppressive and impolitic in many of its provisions. To prove this position he went through the several clauses, and descanted upon them as he proceeded.—The first clause he maintained was unnecessary, because the supplying of the King's enemies by any of his subjects with naval or military stores, came within the 4th section of the 25th of Edward III. and as it was already treason by one law, it would not be necessary to declare it to be so by a new Statute.

The second clause for preventing any subject of His Majesty from purchasing lands in France, or stock in the French funds, was in one point of view, absurd, and in another dangerous, instead of being beneficial to England. Never could it have been so preposterous to endeavour to prevent an Englishman from speculating in the purchase of French lands or French stock, at a time when his own country afforded him every security for his property that human wisdom could devise, and when there was in France no Government, no regard for property, and no security for the enjoyment of it: under such circumstances, could any man in his senses think of laying out his money in France rather than in England? What occasion therefore could there be for prohibiting what was never likely to happen? The prohibition could not do any good; but it might be productive of very great injury to this country; for no doubt, it would make the French Convention enact a law for preventing the natives of France from placing their money in our funds, a law which would be the more prejudicial to our interests, as, in the present state of affairs, the less security there was for property in France, the more the monied people there would feel themselves disposed to place their money in our funds; and therefore the prohibition which we were going to enact by this clause would necessarily operate against ourselves, and in favour of France, as the consequence of this would be, to prevent the French capital from being invested in our funds, and to keep it at home: the clause therefore would furnish the Convention with the means of carrying on the war, though its avowed object was to do directly the reverse. The clause which was for preventing British subjects from insuring French ships, though intended to operate against France, would likewise in reality prove to be a precaution against our own prosperity. Insurance was a trade, and a gainful one too; its annual profits in England in former wars was estimated at 100,000*l.* and he believed that at the present period it might be set down as likely to produce a balance to this country of at least 300,000*l.* a year. In support of his opinion that it would be sound policy to suffer the trade of insurance to be carried on during the war, he quoted the authority of Lord Mansfield, (then Mr. Murray) who had first declared in favour of that po-



licy in the year 1747\* and to shew that the noble and learned Lord had not changed his mind upon that subject, he cited a case which was tried by Lord Mansfield in 1784, in which the noble Judge said, that insurances of ships ought to be encouraged, as they promoted speculation, and often led to a discovery of the views of the enemy in the time of war. The clause for preventing any of His Majesty's subjects from going to France, or returning home during the war, he considered as a violation of justice; particularly as to the second part of the clause: it surely must be a strange doctrine to lay down, that merchants for instance, who in the legal pursuit of their business might have been obliged to go to France, should be prevented from returning home to their own country; it involved equally the innocent and the guilty; it invested His Majesty's Secretary of State with new and extraordinary powers, such as are not at present intrusted to any of the Judges; and it was altogether a measure which could not, in his opinion, be at all justified by any thing less than complete evidence, that there actually existed a great and violent disaffection to the existing Government in a very considerable number of persons in this country. Upon the whole, as, independent of other objections, he could neither see the necessity nor the policy of the present bill, he felt himself bound to oppose it.

The honourable FREDERIC NORTH said, unimportant as my sentiments must be to the House, I hope that I shall not seem to force them irreverently and immodestly on its attention, if I rise to deliver them, for the second time, on the present question; for when I lately had the honour of addressing myself to the Chair, the novelty of my situation, the unexpected nature of the question, and, above all, the fear of transgressing the established rules of the House, by arguing on the propriety of adopting a measure, the propriety of whose discussion was the only subject matter of debate, did not allow me to give, so fully and explicitly as I intended, the reasons of my approbation of the question now before us. That approbation, I am happy to say, a more mature consideration during the subsequent days, enables me at this time to confirm;

\* Vide Mr. Murray's Speech in Debrett's Debates, from 1743 to 1774, vol. 2, p. 175.

and I own myself particularly anxious that the House should agree to it, as I conceive it to be a measure called for by the exigence of our situation, justified even by precedent, as far as the unexampled nature of our relative situation with our enemy, and the unexampled state and mode of existence of that enemy itself, do not preclude the possibility of precedent ; and even in those instances, a measure so perfectly analogous to the strictest interpretation of the law of nations, and so consonant to the rules of the soundest policy, that it is very unpleasant to me to perceive the very respectable quarter from which it is likely to meet with opposition ; for that opposition I must consider as the final extinction of all hopes that I might have entertained of any possible political co-operation with those gentlemen, with whom, more from habitual coincidence of political sentiments, than from any personal connection, I had hoped to have acted during the whole course of my public duties. It is indeed unnecessary, I feel that it may be improper, for any Member of this House so far to anti-date his political existence, as to declare what were, or what were not, his sentiments, before he had any parliamentary right to make the declaration. But I trust the House will hear me with indulgence ; I am sure that a very respectable part of it ought to hear me with satisfaction, when I declare that the sentiments with which I first entered this House, were those of attachment to that great, that constitutional, that patriotic party, which, from the year eighty-three to the present session of Parliament, has, in every vicissitude of fortune, in Ministry, in Opposition, in popularity, in unpopularity, has, I say, invariably maintained those principles on which I now act, and which I hope and trust I shall carry with me to my grave, because I hope and trust I shall not outlive that constitution, to the support of which they are particularly adapted. That any gentlemen have deserted them, is what I by no means wish to assert ; a different interpretation of those principles may lead them into a line of conduct directly opposite to mine. I, for my part, entertain the best opinion of the motives by which they are actuated. If suspicions of a contrary nature are gone out among the people, if insinuations to that effect have been made in any place, and by any persons, all such suspicions I disavow, all such insinuations I reprobate ; and I readily give them the same

credit for their good intentions, which I think I have a right to exact for my own, in the different system which I pursue.

That we may judge of the merits of the present question, it is necessary to enter somewhat fully into the examination of the resources of our enemy. In the year 1789, we well know that the annual expenditure of France considerably exceeded her annual income; since that period, her income has diminished, and her expenditure has increased to an enormous degree. How has the deficit been supplied? By loans? No. By taxes? No. It has been supplied by confiscation, by the sale of confiscated land, and by the issue of assignats, on the credit of their vendibility. The first confiscation was considerable, but not enormous; the first emission of paper currency, though great, was such as the circulation of the country could well bear. It was moreover not entirely an economical but a political measure; for I am happy, in answer to gentlemen who will not allow that the purchasers of national lands must be interested in the prosperity of the existing French Government, to oppose the authority of Mirabeau, who, on the first proposal of issuing assignats, declared, that it was a measure prejudicial, indeed, to the commercial interests of the country, but necessary in the actual circumstances, as it would attach to the revolution all those persons who might find themselves in possession of any quantity of the paper currency, or of those lands which would serve for its security. Since that time, that operation has become habitual; the lion which has once tasted human blood, will not easily allow any passengers to travel near his den.—Every revolution has been followed by a confiscation, and the deficit of every month has been covered by a new issue of paper currency, till at last the enormous quantity of that paper which has inundated the realm, has effectually driven away whatever capital might remain in a country where neither law, order, commerce, nor industry can exist. The terms, indeed, offered by the nation to the purchasers of confiscated lands, are of the most advantageous nature imaginable, for the purchase money is to be paid by instalments in twelve years. Yet, notwithstanding this, on the tenth of last January, the National Convention received assurances that purchasers were not to be found in the country. To what then must they look as a market for their only commodity? To foreign capital, to the introduction

of foreign money into their native country, by holding out great apparent profit to all those who may be inclined to become purchasers of their land. And shall we, in a state of war with that country, not endeavour to deprive them of this only resource? Do we not know that the greatness of the premium offered must depend on the necessity of the party which offers the premium; and must we not make the extent of that necessity of our enemy serve as the rule of our exertions to prevent them from supplying that necessity? We did, indeed, hear at the beginning of the session, among many reasons for not entering into the war, one of peculiar cogency, and urged with peculiar force: "Beware," said some honourable gentlemen, "how you engage yourselves in a war with enemies whom your armies cannot reach, nor your fleets encounter."—Those honourable gentlemen, however, since the war has happened, declare that they will give it their utmost support, and how? "We will vote armies, we will vote supplies, but we will not allow any precautions to be taken; but the money which is to raise those armies, to fit out those navies, to fill those supplies, should be drained off to the support of that enemy which, from the time of its existence, has always thwarted your power, and opposed your prosperity; which, from the time of its revolution, has waged a more dangerous warfare against those principles which have served as the basis of your internal happiness and external glory; against that happy attachment for established usage, that habitual reverence for constituted authority, which, in every government and every country, forms the last analysis of public force; and which, as the last mad act of its desperate hatred, has declared open hostility against your houses and your altars; has declared war against your King, against your King in his person, against your King in his authority; a *bellum internacium*, against that constitution which has established his authority, which has sacrosanctified his person." The honourable gentleman who spoke before me (Mr. Curwin) has particularly dwelt on the impolicy of restraining the liberty of insurance. He justly states, that in the year 1747, a measure exactly like that proposed in the present bill was adopted by the Legislature, contrary to the opinion of Lord Mansfield, who was then Attorney General. No

one can have more veneration for that authority than I have ; but the honourable gentleman must allow me to remark, that, with the same propriety with which he assumes the precedent of the Attorney General, may I also assume that of the Legislature. He states, what I by no means dispute, that the gain of this country by the insurance of French ships, during that war, was annually one hundred thousand pounds ; but let me observe, that insurance is a commercial speculation, like every other, and subject to the same vicissitudes and risks. If, therefore, the gain to the country was so great in 1747, it is no reason it should be so in 1793. Of this we are certain, in both instances, from the nature of that speculation, that the insurer must gain by the escape, and lose by the capture, of the enemy's ships ; and of course be much more interested in the enemy's commerce than in our success. I am no less an enemy to commercial restrictions than the honourable gentleman ; I think that those which are laid on commerce, for commercial purposes, are generally unwise and burdensome ; but when a commercial restriction is proposed for a political purpose, it behoves the Legislature well to examine whether the probable political advantages do not counterbalance the probable commercial injury, and whether the evil to be counteracted by the proposed regulation be not of a nature dangerous to that political situation, on which depends the very existence of commerce itself. This I firmly believe to be the case at present, and most unequivocally agree to the expediency of that clause. Another clause, of a more objectionable nature, has been much commented upon by the honourable gentleman ; I mean that which obliges British subjects, on their return to England, to wait at the port where they land, till they obtain a passport from the Secretary of State ; a clause, which, however harsh, I believe to be perfectly justified by the exigency of the case. Persons now abroad, and likely to return home through the French dominions, are expressly excepted from the operation of the bill, by a preceding clause ; persons residing now in France for commercial purposes, can only remain there by an act of complaisance in the French Government ; and I do not think it probable they should meet with a refusal of a passport from any Ministers whatever. But there is another description of gentlemen now in France,

against whom I cannot help thinking the strictest precautions necessary ; I mean those who are gone thither to contemplate more nearly that dreadful convulsion of the moral world, with whose effects we still tremble, from whose shock we are still in danger ; that their return to this country should be dangerous, it is no slander on the people to suppose ; it is no slander on the people to suspect that there are amongst us many persons liable to be seduced by their communication. I will not refer you to the opinion of Ministers ; I will not refer you to the opinion of those gentlemen with whom it is my boast more peculiarly to act ; I will not refer you to the opinion of the very respectable Magistrates we have heard in the House, or to the common opinion of the people ; but I will refer you to the testimony of an honourable gentleman below me, (Mr. Sheridan) for the ground of my suspicions : that gentleman, on a former day, when he moved for an examination into the existence of seditions, did inform us, that there had been a society in London, in which twenty unlettered tradesmen had been seduced by the rhetoric of a learned shoe-maker to imbibed pernicious principles, and to seal their conversion by a letter to the French Convention. Have we any reason to suppose that society to be the only one of the same nature ; or rather, that a similar concretion was not forming round the learned shoemaker of every village ? With that suspicion, I should betray my duty to the people, did I not endeavour to prevent the return of that danger ; besides, from what we lately heard from a learned gentleman (Mr. Erskine) we may be entitled to suppose this bill to be an act of lenity, rather than harshness, even towards those persons to whom I have alluded. The learned gentleman did then inform us, that any subject of His Majesty, having uttered treasonable expressions in a foreign country, and returning afterwards within the realm, may be indicted for high treason ; and he instanced the case of Croghan, who, having said certain words against the life of King William, in France, was condemned for them on his return to England ; his return being considered as an overt act of his declared treasonable intentions. Now, Sir, I do sincerely believe, that few of the gentlemen in France have an idea of the force of that law, and that most of them have unwittingly incurred the penalties of high treason, by expressions as public as those o

Croghan, and as incompatible with the sufferance of any existing Government. For what have been the expressions of every address to the National Convention? What could have been the expressions of the act which merited to the Englishmen who presented it, the fraternal title of *Generous Republicans*? Now, Sir, the gentlemen who have made use of such expressions, would, I should think, in their return to their native country, prefer depending on the Secretary of State for a passport, to the being served, on their arrival, with an indictment for high treason. The honourable gentleman, (Mr. Curwin) in allusion to what fell from a right honourable Secretary of State, (Mr. Dundas) on a former day, says, and says truly, that he does not think himself obliged to afford His Majesty's Ministers the support which they may think it right to require of him.—I, no more than the honourable gentleman, make the opinion of that right honourable Secretary the measure of my support, (notwithstanding the respect I have for his person, and the deference I should pay to his opinion on every other subject;) I do not know what degree of support any Minister may require; but I well know the extent of that support which, as a faithful servant of the People, I am called upon to give them; and according to that opinion, it is my intention to act. Some other clauses have been objected to by the honourable gentleman, in which I should endeavour to follow him, did not the great confusion which I feel in occupying the attention of the House, and my fear of having already trespassed too long on its indulgence, oblige me, however abruptly, to retire again to my seat.

Major MAITLAND did not intend to have troubled the House with any observations on the present stage of the bill, because such as he had to offer would be brought forward more properly when the different clauses should come to be debated in the Committee; but as gentlemen on the other side of the House had thought proper to observe that stubborn silence, which they almost uniformly did on every important question, he found himself induced to say a few words at present. As to the subject of the extension of the law of treasons, he would say nothing upon it, as he did not pretend to understand it sufficiently. One great and avowed purpose of the present bill he understood to be, to prevent the capital of this country from

being carried to France; he would beg leave to ask of the honourable gentleman (the Attorney General,) whether he meant to include, under the regulations of the bill against purchasing in the French funds, such natives of France, as are resident in this country under the alien bill? Or, whether he meant these regulations to extend to British subjects who have at present property in the French funds, and who cannot bring the interests arising therefrom into this country, except at a loss of 60 per cent. so as to prevent them from applying these interests in purchasing in the funds of France? With respect to the clause altogether, it was indeed preposterous to suppose, that Englishmen having here the best and most permanent security for their money, should send their capital to France, where they could have no security at all; it was also most impolitic, because the French would undoubtedly wish to send their capital here; but if such a regulation as this is adopted by us, it might well be supposed, that France would do the same; and besides, we should be doing the Government of France the most material service by forcing Frenchmen to employ their money in their own funds. He would not, he said, follow the honourable gentleman who spoke last in his argument as to the restrictions imposed on British subjects returning to this country, because, if that argument were well founded, it would go entirely against the reason of this bill, which would then operate as a mitigation rather than as an extension of the present law. He declared that the whole bill, one single clause excepted, appeared to him highly objectionable, and unfit to pass into a law; the clause which he wished to spare, was that which provided that the House should not be restrained by its forms from repealing or altering the bill during the present session, in case it should judge it expedient to do either. He concluded with highly disapproving of the bill, and again putting precisely to the Attorney General the two questions which he had stated at the beginning of his speech: With respect to French aliens resident here, and to British subjects having at present property in the French funds.

The ATTORNEY GENERAL said, that as to the first question he would answer in the affirmative; but it appeared to him that the subject of the second question might deserve to be considered in the Committee.



The question for the second reading of the bill was then put, and carried without a division; and, it having been read a second time, and ordered to be committed to a Committee of the whole House,

The ATTORNEY GENERAL moved, that it should be committed to-morrow. Upon which

Mr. FOX said, he had hoped that Ministers would not aggravate the violence of the substance of the present bill, by the violence of the mode in which they meant to carry it through. A bill of the highest magnitude and importance, attacking the fundamental liberty of this country, is moved to be committed on the very day after it has been read a second time; and what purpose can such shameful precipitation answer? It is impossible that the bill can pass before the recess, for it cannot be ready to be carried to the Lords sooner than Wednesday. Some gentlemen seemed to have one opinion, and some another on the different clauses: for his part, he objected to the whole of it, as being, in all its provisions, either ineffectual, impolitic, or tyrannical. On such a subject, there ought to be a full attendance in the Committee, which he would wish postponed only till Monday or Tuesday, as it was highly necessary that gentlemen should have time deliberately to consider the subject; he would fairly own that he wished also the Public to know fully the nature of it, and he had heard that it is a measure which the Public highly disapprove of. As to the clause restricting the return of British subjects to the country, it was a measure of such unexampled violence to every principle of liberty, that in his opinion nothing could justify it; it was indeed of such high importance, of such magnitude, and attended with such degradation to the subjects of this country, as required the most serious and deliberate discussion. An honourable gentleman (Mr. North) had said that passports would not be refused; but does that honourable gentleman think he would chuse to condescend to ask leave of a Minister to return to his native country? To ask as a favour what ought to be a matter of right? Besides, the granting or refusing depends entirely on the will of the Secretary of State, without any responsibility, or any obligation whatever, to give a reason for his refusal, which may at all events proceed upon secret and private, and perhaps (according to a modern system) upon anonymous information. Mr. Fox concluded with expressing his hope, that

the very short and necessary delay which he proposed would be acquiesced in.

Mr. Chancellor PITT said, the opposition to the motion of his learned friend did not go to the question whether the bill now before the House should or should not pass into a law, but whether it should be investigated in a Committee of the whole House, and to pass through that House before the holidays; and for the delay proposed, the arguments appeared to him to be curious. The question for the House now was, whether those who thought this bill, as the right honourable gentleman had been pleased to describe it, either ineffectual, impolitic, or tyrannical, were at this time prepared to give their sentiments upon it; he, for his part, thought that no delay was necessary for that purpose; for surely, gentlemen who were pleased to speak their sentiments so decisively, wanted no time to make up their minds, unless the House were inclined to adopt the ingenious and epigrammatical mode of alteration of an honourable gentleman, who had said, that the only good thing he thought could be found in the bill was the clause, which enabled Parliament to revise, alter, and amend the bill in the present session. Now, what sort of a bill that was to be, which had the whole of its provisions expunged, he should not attempt to explain. If indeed there was any serious objection to the principle of the bill, how were gentlemen who pretended to have such objection, to account for their conduct this night, after having suffered the question for the second reading to pass *nem. con.* [Here there was a cry of No! No!] He proceeded and said, he certainly did not hear any person object to the question; but surely they who pretended to oppose the bill, either thought it was not such as ought to be farther discussed upon the general principle and merits—or that they must think that their arguments were such as had been already urged, and that it was needless to repeat them, for that the House had already assented to the general principle of the bill, by the sanction given to the second reading. The principle being thus disposed of, the question then was, whether there were any clauses in the bill which could not be discussed in the Committee to-morrow, and whether gentlemen were not prepared for that purpose. The right honourable gentleman said, that all the clauses were either inef-

festual, impolitic, or tyrannical. If he knew that to be the character of them, there could be no difficulty in his proving that in a Committee to-morrow, as well as on Tuesday. Indeed he saw no reason for delay; in the course of this measure there had been ample time given to consider it. His learned friend had given notice of his motion for leave to bring in the bill, postponed it, and, on the day he brought forward the motion, he had ably opened the general provisions of the bill, on which there was considerable discussion, and many objections started, which, in his opinion, were fairly and fully answered. The bill had for its object provisions upon general points. [Here he repeated the substance of the bill under distinct heads.] The objections were general, and the leading one, in a constitutional point of view, was, that it added to the offences already declared to be treason, at a time when there was not any reason to apprehend any danger to this country; that it was not brought forward under any circumstances which required any extraordinary exertion. He differed entirely upon that point, and it was in consequence of that difference he thought it was necessary to amend the law of treason. There often had been mentioned two classes of men, who were supposed to have opposite principles—Whigs and Tories. There often had been those who called themselves Whigs, but who in principles were Tories, and afterwards proved to be such. He knew how often it had happened that Tories had availed themselves of the popularity of the character of Whig, and had therefore assumed the title and language without the principles. But without regarding names, when measures ought alone to decide, he would say, that those great men who had effected the revolution of 1688, and thereby asserted the rights and liberties of the subject, could not be deemed enemies to what they had thus nobly and firmly asserted at the hazard of their lives; and yet those men had laid down a precedent, which the present bill followed only at a distance, and was very far from equalling in point of severity. The clause against supplying the fleets or armies of France with naval or military stores was allowed to be law already; it was therefore neither new nor tyrannical; but rather a humane warning to persons, to put them on their guard against acts which might bring upon them the penalties of high treason. It might be doubtful whether

the clause for preventing British subjects from supplying individuals in France with naval or military stores, was, or was not, law already; but surely it was humane, not cruel, to remove the doubt, and prevent men from being ensnared by the ambiguity of an old statute. As to the clauses for preventing the insurance of French ships, and the purchase of lands or stock in France by British subjects, he would not say any thing upon them, as they would probably be amply discussed in the Committee; and he did not mean to anticipate the debate to which they might give rise; but he thought that he might without impropriety make this short observation upon them, that they were so plain and simple in their nature, that gentlemen could not stand in need of five days delay to make themselves masters of their meaning. The clause which seemed to have given the right honourable gentleman the greatest offence, and probably on account of which he had angrily bestowed the epithet tyrannical on the whole bill, was that which made it necessary that British subjects returning to England from France should provide themselves with a passport from the Secretary of State. This clause was novel only from its mildness; for in the act of King William, passed in the best of times, and by the most declared and best known friends of the Constitution, it was made infinitely more penal in a natural-born subject of the King to return from France to England without leave. The then circumstances of the times justified the rigour of the act of William; and the present state and principles of France would warrant a much stronger measure than that which was to be enacted by the clause in question. Every part of the bill was simple, very little of it was new, and therefore gentlemen could have no occasion for a delay till Tuesday to prepare themselves for a discussion of it. Those who thought it ineffectual, impolitic, and tyrannical, could discuss it that moment, or vote for its rejection.

Mr. FOX said, that he never understood that to be carrying a question *nemine contradicente*, when several gentlemen had said no to it. It was a new fashion of considering, that a gentleman can have no objection whatever to any part of a measure, if he did not take the sense of the House by a division. His sentiments were already known upon this bill, and the reason why he did not call for a division upon the question

upon the second reading was, that he understood many gentlemen who approved of the principle of the bill, object to many of the clauses, and that a division upon the second reading would produce no good effect, but that something might be done in the Committee. The reason why he wished for the delay until Tuesday was not so much for himself (for he was ready to debate it now,) as to afford an opportunity of acquiring some information how a bill of such immense importance to the rights of Englishmen, was thought of out of the doors of that House.

The ATTORNEY GENERAL denied that the bill was, in the slightest degree, ineffectual, impolitic or tyrannical. He felt himself included among those who were censured, as having favoured provisions that were inimical to the principles of civil liberty; but he trusted that if such had been his conduct, the gentlemen by whom he was supported on the present occasion, would have consigned him to that sentence of self-condemnation which he should so amply have deserved. He could not think that the bill was tyrannical, because it imposed some restraint on the conduct of those subjects who might return from France; for if it should appear that such restraint was unnecessary, the persons concerned had power to apply to the neighbouring Justices of the Peace, His Majesty's Judges, or to the Secretary of State, in their own behalf. With regard to the popularity of the bill, gentlemen, could only judge from the sentiments of these persons without doors, with whom they had been in the habits of familiar intercourse; and if he might judge from what he had heard, the bill certainly was by no means unpopular. He was as little inclined, the Attorney General said, to believe that the bill would prove impolitic and ineffectual, as that the Public would consider any of its provisions tyrannical. It had been said, that the clause prohibiting the purchase of lands in France, was a wild one; but that soon a clause had been highly necessary, he was constrained to believe from the fact which had come under his own knowledge, of a land-surveyor having written a letter to a gentleman to excuse his attendance on particular business, as he was engaged to go over to France to look to some lots of land estimated at 60,000*l.* which were absolutely on sale. If the National Convention had distinctly confessed that the means of

carrying on the war were to arise from the sale of lands, surely a clause which prevented Englishmen from parting with their money on the security of such lands, was a deprivation to France of the means of carrying on the war. As to the charge which had been thrown on Government of having libelled the people of this country, by the implications in which they had involved them by the terms of the present bill, he had flattered himself that that subject had been dropped long since. It had been said at the beginning of the session that the loyalty of the people of England was libelled by the preparations of Government, and he did not imagine that the charge would have been renewed on the present occasion. It was a fact that the most dangerous doctrines had gone forth; doctrines, the operation of which could not be checked but by declaring them liable to the penalties of treason. In former times, at the period of the revolution, the doctrine that the King, Lords and Commons could not regulate the succession of the crown had been declared to be treason, and were not the same or more dangerous doctrines held out at this moment? The measures which Government had adopted had met the approbation of nine tenths of the people without doors, and of a considerable majority in that House; and, when those measures had been disapproved, the gentlemen who disapproved them had been the only libellers; they had been the libellers of the majority both of that House and of the people without doors. The Attorney General next contended that the clause prohibiting insurance, was neither impolitic nor ineffectual. It might be asked, since many of the facts specified in the bill were treasonable by the Statute of Edward III. why make them so again? To this question he should only reply, that the repetition had not been made without the sanction of many examples on similar occasions. One reason, indeed, why he thought that the progress of the bill should not be delayed, was, that much the greater part of the declaration of the bill had been specified as high treason already, and subject to severe penalties; which penalties were still capable of being enforced, previous to the passing of the present bill.

Mr. ALDERMAN ANDERSON declared it to be his opinion, that the present bill ought to pass with all possible expedition. He professed his confidence in the vigilance of ad-

ministration, and of our naval commanders which had already been manifested by our capture of so many French vessels, and was convinced, that, whatever exception might be made to some of the clauses of the bill, no property belonging to the French ought to be insured in this country.

Mr. SHERIDAN said, he joined the worthy Magistrate who spoke last, in hoping that by vigorous exertion on our part the war would be brought to a happy termination; he hoped also, that our ships may be out of danger, and he trusted he might safely place confidence in His Majesty's Ministers; that by their exertions they would soon convince us, that the rumour gone abroad lately, that we were not able to attack ships under the French flag, was unfounded; he trusted, that whatever might be these rumours, the worthy Magistrate would not be found to have been too sanguine upon that subject. Mr. Sheridan said, he did not mean to follow the learned gentleman through all his observations to-night, upon the question now before the House, for the learned gentleman seemed to him to have forgotten the question entirely; had he been either a little more slow or more alert in his thoughts, he might perhaps have met the subject of debate, and have argued upon it.— The question was, whether upon the discussion of this important bill, the short space between this and Tuesday next, should be allowed to endeavour to understand the clauses of the bill. The learned gentleman of course having studied the subject, must understand it perfectly; but he had not said one word why other gentlemen, in order to understand it also, should not have time, as well as himself. Upon the former stage of this bill, the learned gentleman said nothing pressing upon the point of time; indeed nobody could suppose that much expedition was thought of upon the subject; for war had been declared against us long before any notice was given of any intention of bringing in this bill. There was another reason for some delay, and one which had been pressed a good deal by the learned gentleman himself when he opened the bill; he meant the assistance of gentlemen of the long robe, particularly that of a learned and most able Member of that House, and ornament of his profession (Mr. Erskine,) that assistance could not be had, if the House went into the Committee to-morrow. As to the bill being in some parts of it tyrannical,

Mr. Sheridan observed, that part of the subject had not been fairly treated by the advocates for the bill; they said there was no evil in it for which there was not a remedy. If a man came from France, and was taken into custody for not complying with certain capricious distinctions, he might apply to the Secretary of State to be discharged, and he should have his liberty. How? If the Secretary of State pleased, but not otherwise. Could any thing be more tyrannical than such a measure? As to the libel on the people of England, that they were many of them disposed to sedition, that the present times are full of danger, and that the bill in question is only a mitigation of the law of treason as formed by the founders of the revolution, there was the most gross misapplication—at the time when the alterations were made in the act of K. Edward III. and quoted as a specimen, there was indeed reason to apprehend sedition and rebellion; that was a law in consequence of the petition of the people praying for it, and it was carried against the influence and in direct hostility to the Crown. Indeed, Mr. Sheridan said, it was matter of astonishment to him, that gentlemen could shew their faces to the people of this country, and tell them gravely, that there is treason and sedition in this country; and that there are the same reasons at this day for the bill in question, as there was at the time of the revolution; that the present moment required the same restraints, as when there was a plot against the safety of the State; that the people, when they were quiet, must submit to be treated as traitors; and that at this hour, the same rigour in principle was to be observed. Men were brought daily to the block, when there was a plot for the assassination of King William. To say that these were times still more dangerous; upon his honour, he was astonished at the effrontery of such observations. He was sure the charge of sedition on the people of this country, was a foul calumny upon them. Let the Attorney General produce his proofs. Let him tell that House that he would take up one man in the kingdom for treason. Let him name one man whom he suspected. Let him charge one man with a seditious view. But whenever these questions were asked, instead of shewing the existence of the evil, Ministers contented themselves with producing a remedy. Did we ask for proof of sedition? Look at the Alien bill, was the



answer. They proved the distemper, by insisting on providing a remedy. Like a physician saying to a person who knew himself to be well, " You want physic;" or, " You must be bled to-day." If the answer is, " I am well, I do not want your assistance;" then the Doctor would affect a resolute tone, and insist on bleeding his patient to-day: and if he did not then find himself ill, to put him in a strait waistcoat to-morrow. With respect to what the right honourable the Chancellor of the Exchequer had said upon Whigs and Tories, Mr. Sheridan did not doubt his skill. He did not know any person so well situated to prove that a man may affect to be a Whig, and be a Tory in his heart: he did not know a man who had greater reason to feel what he said upon that subject, or to understand it better. However, he believed that if the right honourable gentleman meant any thing by what he said on that subject, he meant to convey a sentiment, and establish a doctrine, the most pernicious of all to public liberty — that public profession of principle is altogether a piece of delusion upon the people of this country. This was done by the Minister with a view of bringing all public spirit into contempt, to destroy all distinction between the friends of freedom and the friends of despotism, and to build his own power upon the ruin of both: but, whatever he might think, there was too much good sense in the people of this country to be imposed on by such stale attempts; they began to see the difference between their friends and those who wished to deceive them. Mr. Sheridan concluded with saying, he had no doubt but that Ministers began to feel that the story of seditions, and all the trade of the alarmists, began to flag, and therefore this bill was brought in to revive the delusion; but the people might be said to be like those who are sworn at Highgate — they never would take any counterfeit while they could have the reality.

Mr. Chancellor PITT explained, that he did not allude to the number of dissatisfied or seditious persons in this country when he mentioned our being in danger. By danger he meant the propagation of certain principles, which, if carried to their full extent in this country, it would be in a worse situation than even in the time he mentioned. With respect to the insinuation of the honourable gentleman upon Whigs and

Tories, if any abandonment of principle was ascribed to him, or the attempt to subdue all principle in political considerations, he begged leave to say, it was an imputation which he disdained. He then insisted that he held not the principles of some persons who had lately called themselves Whigs, but the principles of liberty settled at the Revolution.

Mr. SHERIDAN said, whether the right honourable gentleman disdained the imputation he did not care, only the more disdain he expressed the more Mr. Sheridan thought he had put the point aright. The right honourable gentleman said he was not one of the living Whigs, or those who lately called themselves so. Indeed, Mr. Sheridan said, he did not hear him name any living Whigs, but observed that he seemed to allude to some dead ones. I wish, said Mr. Sheridan, he would take some of our Whig principles from us, instead of Whig Members.

Mr. S. THORNTON wished to know whether the bill in question would affect bills of exchange from one country to the other.

The ATTORNEY GENERAL said, he did not mean any such operation to this bill, and promised to attend to the suggestions of the honourable gentleman who made the hint when the bill came into the Committee.

Lord JOHN RUSSELL spoke in favour of the delay of the Committee, as moved by Mr. Fox.

Mr. MARTIN was also for the delay; but said he had not changed his mind on the propriety of the bill itself. He reminded gentlemen who had promised, that as we are at war we must support it. Although we might detest the principle on which it was entered into, he had no objection to enter into an inquiry into the conduct of those who brought us into the war; but as we are at war we must do all in our power to bring it to a conclusion, and this bill appeared to him adapted to that purpose.

Mr. WHITBREAD declared, that he had, for one, professed his intention of supporting the war, if it was once entered into; but he did not conceive that such profession had pledged him to the unqualified support of every measure of Administration. He thought the conduct of Ministers in the

present instance highly indecent, and strenuously urged the propriety of deferring the commitment of the present bill.

The ATTORNEY GENERAL explained.

Mr. T. GRENVILLE opposed the speedy commitment of the bill.

The House divided on Mr. Fox's amendment ;

Ayes 37 ;        Noes 127.

The original motion for going into a Committee on the bill to-morrow was then put and carried.—Adjourned.

*Friday, 22d March.*

The order of the day being read for going into a Committee of the whole House on the bill for preventing traitorous correspondence with His Majesty's enemies ; and for preventing the aiding and assisting of His Majesty's enemies during the present war, the Speaker left the chair, and Mr. Serjeant Watson took his seat at the table.

On the preamble of the bill being read by the Chairman, which stated that it is expedient more effectually to prevent traitorous correspondence, &c.,

The SOLICITOR GENERAL moved, " that the consideration of the preamble should be postponed till the different clauses of the bill should be gone through." Whatever provisions, and he believed that many might be made in addition to those contained in the bill, they all would come regularly forward in the Committee.

Mr. FOX said he was happy to hear that the gentleman who brought in the bill began to think that it was not perfect, and that it might want some modification. For his part, he thought the provisions of the bill to be such as ought to meet the detestation of the People of this country. He should attend to whatever modifications should be offered ; but the best modification he knew would be that of expunging all the clauses out of the bill.

Mr. Chancellor PITT recommended moderation of temper in the discussion of this business.

Mr. FOX said he wanted to prevent the progress of a bill, which the imagination of man could hardly think of without astonishment — a bill which perhaps was never equalled in the despotism of its principle ; and he knew that those who brought

it in could not, without considerable vigilance from others, be prevailed upon to pay any attention to the Constitution of this country.

Mr. GREY objected to the preamble, because no fact had been stated on which the measure could be justified. Though, therefore, it was unusual to oppose the adjournment of a preamble of a bill, he should oppose it in the present instance, because he conceived that the preamble ought to state the necessity on which the bill had been founded. If it were only the intention of Administration to clear up any doubts that might arise upon the construction of the 25th of Edward III., that intention should be stated. What he objected to was the manner in which the preamble was worded, the insinuations which it was calculated to foster, and the ideas of alarm which it tended to encourage. Government might perhaps see that those apprehensions of danger which they had excited were decreasing, and might conceive the present a very proper measure to raise them again to their former height; but, though this might be a proper mode of conduct for Administration to adopt, it was not a proper mode for those who conceived that every violation of the principles of liberty subtracted something from the common happiness of the human race, and who thought, that, in proportion as the former were disregarded, the latter would be sacrificed, and in the end annihilated.

The SOLICITOR GENERAL expressed his surprise at the opposition of Mr. Grey to the postponement of the preamble. The bill certainly was founded upon the 25th of Edward III.; but he could not see the necessity of entering into a specific statement of that circumstance in the preamble. There were gentlemen in the House who assumed to themselves the names of patriots; how deservedly he would not say. Without boasting so much of his patriotism, he would take the liberty of saying, that he was as much a friend to liberty as those gentlemen; and he conceived that he acted in perfect consistence with that character when he supported the present measure, so necessary to the carrying on of this most just and necessary war. With respect to the provisions of the bill, certainly no one would say that it was improper to prevent the exportation of stores. With respect to prohibiting persons going to France, he was fully convinced of the pro-

priety of that prohibition, for no man could go to Paris but for some bad purpose.

Mr. GREY adhered to what he had formerly said, that the preamble of the bill proceeded on insufficient grounds, and stated unfairly and falsely the object of the bill. He had certainly promised to give his support to the carrying on the war, in consequence of which he had already given his concurrence in voting the necessary supplies ; but he never could conceive himself pledged to withhold his censure from the remissness of Ministers, or to support them in measures of the nature of the present bill, which appeared to him both unnecessary and mischievous. At any rate, such a measure could only be justified under extraordinary circumstances, and upon some great and important urgency, the existence of which ought to be previously ascertained by clear and satisfactory evidence.

The ATTORNEY GENERAL defended the propriety of the preamble, and stated that, in adopting it, he had followed the example of Lord Somers, and some of the greatest men that ever were in this country, who had given preambles of the same kind to bills of a similar nature. In every act of this sort it became indispensably necessary that it should admit of a more general interpretation than could perhaps be wished, if the evil could be otherwise sufficiently guarded against. As, for instance, in the present case, it might, no doubt, be true, that some persons going from this country to France, or returning hither, might have no improper intention or bad purpose whatever ; yet as other persons might probably go there, or return from thence, for purposes hostile to this country, it became necessary, in order to guard effectually against these, to make a general regulation, prohibiting all persons either from going to France, or returning from thence, except under such regulations as may be consistent with the safety of the State.

Mr. MARTIN said, that, although he would not give his support to any measures proposed by Ministers which he might think unjustifiable or wrong, yet he begged leave to put it to gentlemen who had promised to give their support to the carrying on the war, whether they ought not to give a fair and candid support ? and as he thought the present measure well calculated to accelerate its issue, it certainly had his approbation.

Mr. HAWKINS BROWNE said, that although there were some gentlemen who had differed from him on the subject of the necessity of the present war, and who had supposed it might have been averted by negotiation; yet now that we had been so unjustly attacked, and were actually at war, he had hoped that every gentleman would unite in supporting such measures as might be necessary to the carrying on that war with vigour and effect. He then proceeded to state that the preamble of the present bill, as well as its different regulations, appeared to him extremely proper, and fully justified by circumstances requiring no evidence, because apparent to every one. Compared to that of the present time, the danger at the time of the Revolution was trifling, great as it was; it was undoubtedly important to fix the Government in the person of our glorious Deliverer from Popery and arbitrary power; but the question now is, whether we shall have a King at all? — Mr. Browne was proceeding, when

Mr. BOUVERIE called him to order, as having deviated from the question before the House.

Mr. Chancellor PITT said, that although a debate, such as the present, was rather unusual, as it had always been the practice in Committees in that House to postpone the consideration of the preamble of a bill till after the discussion of the different clauses, and for this evident reason, that it might be the better adapted to the bill, as it might be ultimately settled and adjusted; yet, upon the footing on which the postponing the preamble had been opposed, he conceived the honourable gentleman (Mr. Browne) had been completely in order, and perfectly correct in stating his reasons for thinking that there was sufficient evidence of danger to justify the present measure.

Mr. HAWKINS BROWNE went on to state the danger arising to this country from the principles and objects of France in the present war; its evident intention to interfere in the internal polity of this country; and his abhorrence of the idea of our receiving what he might otherwise reckon a benefit, if imposed on us by the power of France, because the Constitution spurned all foreign interference. Had he been a Jacobite, he could not have brought himself to have received from such influence the establishment of his favourite King.

Mr. SHERIDAN agreed that the honourable gentleman opposite to him (Mr. Browne) had been perfectly in order; but it had been said that his honourable friend had been disorderly in his opposition to the postponing the preamble, which he could by no means admit. It might be true that in many cases it was usual and proper to postpone the preamble; but in this case, where the assumptions in the preamble afford the only justification of the enactments of the bill, to desire of gentlemen to postpone the preamble, without requiring any proof of these assumptions, was in truth desiring them to agree to all these enactments of such a new and alarming nature, without requiring the smallest evidence that there is any ground of necessity for them whatever.

Mr. ANSTRUTHER asked if, when gentlemen objected to the preamble of the bill as containing an absolute falsehood, they meant to dispute that it was expedient to prevent the corresponding with, or giving aid or assistance to, His Majesty's enemies? for nothing is asserted in the preamble except that it is expedient to prevent these three things. It had been said, however, that the preamble ought to be postponed till the facts are proved, and, if the preamble stated any specific facts, he should perhaps agree to this. The present bill was one of prevention, and he considered the merit of it to be that it came in at the beginning of a war, before any correspondence with the enemy had taken place, or that any aid or assistance had been given them. He then vindicated the general principle and several clauses of the bill.

Mr. POWYS said, that it was the uniform practice to postpone the preamble of bills till the different clauses were discussed, and stated that, in his opinion, the House had already decided upon the necessity of the bill as well as its principle, by giving leave to bring it in.

Mr. FOX was decidedly of opinion against postponing the preamble, and insisted that, before acceding to a proposition so new and alarming, it should at least be justified by a clear proof of an urgent necessity. The honourable gentleman (Mr. Anstruther) had quibbled on this preamble in a most extraordinary manner, and had been obliged to state it unfairly in order to support his deduction: he has asked whether it can be denied that it is expedient to prevent corresponding with

His Majesty's enemies, &c. ; but the words of the preamble are, that it is expedient more effectually to prevent such correspondence, &c. ; and he would ask, on the other hand, whether, without any knowledge of the insufficiency of the existing laws, or of any dangerous and extraordinary urgency, you would think it right to go on to the enacting of such dreadful provisions as some of those which compose this bill ? Gentlemen talk of what had been done at the Revolution : let them follow the example of those who acted at that time, by shewing evidence of the necessity of the present measure. He could not agree with much that he had heard that night ; for, upon the principle now asserted, if a handful of men, however insignificant, or however small in number, should happen to entertain opinions subversive of the established Constitution, this alone would be held sufficient to justify the investing Government with the most arbitrary powers, though there existed, in fact, no real danger. An honourable gentleman (Mr. Browne) had said, that, if he was a Jacobite, he would not take the part even of his favourite Monarch, if imposed on him by the power of France ; for his part, if the Constitution which he so much venerated was to be destroyed, he did not care whether its overthrow should come from France, or originate at home. He would support Ministers in carrying on the war, but he would not agree to undermine the Constitution ; and he could not give his concurrence to the proceeding one step farther in the present bill without evidence of some great and urgent necessity. It had been hinted, that inconveniences had arisen during the American war, from improper intercourse with the enemy ; for his part, he had never before heard of it, and he was sure no such thing had ever been proved. He believed that, during the war which begun in 1756, and ended in 1760, less restrictions had been imposed than in any other war, and he would submit it to gentlemen, without any observation, whether this had been attended with any bad consequences.

Lord BEAUCHAMP thought that no parallel could be drawn between the war of 1756 and the present. This war had peculiar features belonging to it, which set at defiance all attempts at comparison with former wars. In every former war the countries engaged respected the Constitutions of each



other ; but in this our enemy seemed satisfied with nothing less than the complete destruction of our political establishment. The bill which was about to come under the discussion of the Committee appeared to him a necessary measure, and therefore he saw no reason why they should deviate from the usual system of postponing the preamble of the bill. As to the articles which were prohibited from being exported to France, the necessity of the prohibition was very plain, for France had passed a decree containing a similar prohibition with regard to imports from this country, with the exception of the very articles specified in the bill. As to those articles in the sale of which a man, it was said, might be innocently engaged, it was no matter whether man's intentions were innocent or treasonable, if the consequences of the act were equally pernicious to the Public.

Mr. BURKE rejoiced that, in times of public emergency, the Ministers and the Legislators of this country reverted to the salutary principles of our ancestors. This was undoubtedly the best mode of discharging their duty to the country ; and while they adhered to this maxim, no person need apprehend that the Constitution would not be taken care of. The present bill had been condemned with much acrimony by the gentlemen who led the opposition phalanx ; but although he had listened with the greatest attention, yet he had not heard one argument which could prevail upon him to alter his opinion, that the regulation now introduced was neither unwise nor unconstitutional. They had been lavish of their censure, because they asserted that the measure wanted precedent ; but when they made this assertion they did not recollect—what was almost the same thing, they did not chuse to recollect—that in several parts of history similar precautions had been adopted by the Government for the time being. He would not overcharge their memories with instances from remote times, but content himself with producing one passed in the year 1688, when a happy Revolution took place in this country—not a Revolution stained with blood and infamy, as that lately adopted in a neighbouring kingdom. To convince them of what he now advanced, he affirmed, that the next chapter to the Bill of Rights contained an act empowering His Majesty King William to take up and imprison all suspected persons. The

people of those days, who were jealous of their rights and liberties, were not heard to murmur against the proceedings of Government, but suffered the whole to pass in silence, fully persuaded that they acted for the security of the nation at large. The same policy was afterwards adopted by the Ministry who followed; and their political sagacity was much applauded. With regard to Whig and Tory, if properly understood, he hoped that neither of them would be considered as enemies to the country. A Whig was, in his opinion, a person who agreed to the Constitution of King, Lords, and Commons; but who, on any public misunderstanding, would adhere to the aristocracy and democracy of the country, rather than yield to the monarchy. A Tory was a person who acted upon a contrary principle, by favouring, on all occasions, the prerogative of the Crown. Those who believed that the Constitution was amply secure without the present bill, argued on false principles. The Constitution alone could not defend itself. It required all the manly efforts of those who were its guardians to repel every storm which menaced its overthrow. No period occurred in history more detrimental to its vital principles than the present; and Government merited applause and gratitude in proportion to their vigilance and activity.

Some gentlemen had condemned administration for their remiss conduct; but they ought to recollect, that a little rest from the fatigues of business was at times requisite. "Sleep, the Sister of death, was as necessary to the body politic as to the body natural. Sleep was a cessation of all our faculties. It was a relaxation which infused into all the vital stamina a new portion of health and vigour, and enabled all the Members to exert their various functions with a greater impulse and effect. I therefore rejoice that Ministries are aroused, and predict the happiest consequences from their energy. From their resolution and activity, I anticipate the overthrow and humiliation of the enemy; and have no doubt but that the warmest congratulations will follow their enterprise and success." "You are now at war with an enemy who has waged war with your constitution, and who has been but too successful in establishing among you a dangerous domestic faction." [Here

there was an interruption of No! No! No!]  
 Mr. Burke proceeded by saying, that gentlemen might now deny the assertion—"but at a future period I will name them, to their confusion, though not to their shame!!! And if it were a House, as it is a Committee, I would perhaps embrace the opportunity of communicating my information and sentiments thereon." Every kind of Government, whatever may be its organization or structure, implied and required that a man should surrender part of his natural rights to obtain those that belong to society—in a word, that he should forego part of his liberty for the security of the remainder. It was this social principle which induced men to unite, and frequently to deprive themselves voluntarily of their freedom, that made them submit to a temporary inconvenience with the view of making it afterwards permanent. Thus it was that in a siege it was found necessary to stop all intercourse between the besieged and the besiegers—to prevent all opportunity of desertion, and modes of injurious communication. Under the pressure of certain difficulties, it was usual to raise the draw-bridges, let down the portcullises, and actually to imprison themselves—their view however being the ultimate preservation of their liberties. The enemy of England appeared now at their gate; and however contention may at times prevail between parties aiming at power, or influenced by different political opinions, this was a situation which admitted of no disunion. Dumourier, in advancing into Holland at the head of his barbarians, considered his acquisition incomplete, without carrying his constitution along with him. Every civil or political restriction whatever that was new, must appear a hardship upon an Englishman; but those restrictions were imposed to secure advantages of the greatest possible magnitude and importance. We had nothing less to apprehend than slavery, and submission to a foreign yoke, the last of all calamities. He would wish Brutus to submit to Cæsar, or Cæsar to yield to Brutus, rather than that Rome should be subdued by any foreign conqueror. So it was with England. Any internal inconvenience which might result from granting unusual power to the Ministers of the Crown, even if badly exercised, was infinitely preferable to the situation we must be in if Dumourier and his barbarians were to

come amongst us, and, with an appeal to the *Sans Culottes*, convoke primary assemblies, to rob, and at the same time to legislate for the nation. The present bill was neither contrary to reason, nor repugnant to law. A variety of instances might be adduced to prove this assertion. It was no greater hardship on the subject to say, you shall not aid or assist the common enemy, than to say, you shall not keep tools or instruments for coining in your possession. An act had been passed prohibiting men from wearing publicly black masks, because, under that disguise, many acts of outrage had been committed. It might, he ludicrously observed, be thought a scandalous act of oppression to prevent the subjects from the enjoyment of a public masquerade—but the necessity of the times rendered it necessary. It was needless to go into a detail of the various prohibitory laws. The whole history of the police contained explanations of the subject. Mr. Burke then took the opportunity of denouncing the several clubs of France that had bestowed upon him such marks of obloquy. This denunciation he considered as an act of reciprocity, because they had been particularly attentive to him. “ I should not, Mr. Chairman, be very glad  
 “ to see in this country the *Visite Domiciliaire*. It is a very  
 “ pretty expression, but I confess I am not over zealous for  
 “ its practice. There again is the *Tribunal Revolutionnaire*,  
 “ which I never wish to see introduced here, however highly  
 “ the French Republicans may extol the system. And last,  
 “ though not least, the *Douce Fraternité*. All which happy  
 “ Assemblies I hope will be confined to France, and not at-  
 “ tempted to be enforced on the people of this country, not-  
 “ withstanding the wonderful panegyric on Liberty, Equal-  
 “ lity, Unity, and Indivisibility. I would rather submit to  
 “ the hazard, great as it is, of the danger mentioned by Mr.  
 “ Fox, than to the slightest chance of being governed by the  
 “ French *Sans Culottes*.”

Mr. Burke proceeded to read from the *Moniteur* of the 17th instant, the following extract from the speech of Citizen La-source in the Convention—“ The moment is not yet ar-  
 “ rived in which may be seen at the bar of your revolutionary  
 “ Tribunal, that Orestes of the British Parliament, the  
 “ madman Burke, that insolent Lord Grenville, or that

"plotter Pitt. But the moment is arrived, in which the  
 "Public have summoned them to the bar of their opinion.  
 "The moment is arrived in which they are consigned to the  
 "detestation of all nations, whose execrations and anathe-  
 "mas they so richly deserve—Scourges of the earth, and  
 "vultures preying upon the vitals of the people. They have  
 "failed not to scatter their crimes, and their gold, to distract  
 "a nation which they despaired of being able to conquer.—  
 "Contented with her own liberties, France felt no wish of  
 "carrying her arms beyond her frontiers, till she was provok-  
 "ed by unnecessary acts of aggression. Her anger is now  
 "roused, and those against whom it is directed, shall feel the  
 "tremendous effects of it. The machinations of these men  
 "are discovered—Their gold and their infamy are scattered  
 "in vain—Let these conspirators against the human race know  
 "this and tremble—We have swords, and we have men to  
 "wield them. They have misrepresented the independence  
 "of the French nation. They have invariably represented  
 "us as robbers and as cannibals. Soon shall they be laid  
 "prostrate before the Statue of Liberty, whence they shall  
 "rise only to mount the scaffold that awaits them, and to ex-  
 "piate, by their death, the evils in which they have involved  
 "the human race." Mr. Burke again reverted to the bill in  
 question, and said it did not occur to him to be a measure of  
 that kind, which a general engagement to support the war  
 would pledge gentlemen to support; but for his part, he voted  
 not upon general support, but as supporting rationally and po-  
 litically in this particular instance, that kind of war in which  
 we are at present engaged; and he concluded with observing,  
 that although he thought it necessary at present to give to Mi-  
 nisters such discretion as was proposed to be entrusted to  
 them by the present bill, yet he certainly conceived that they  
 would be responsible for any gross abuse of that discretionary  
 power.

Mr. SHERIDAN said, that the right honourable gentle-  
 man who had just sat down, had, as he usually did, made a  
 very eloquent speech, and, as usual also, applied his wit, his  
 mirth, and humour, upon subjects which did not perhaps call  
 for either—wars, treasons, murders, and massacres. He  
 should not follow the right honourable gentleman upon all he

had said, because that would be entering into the discussion of points arising out of the clauses of the bill, which, in his opinion, ought to be reserved for discussion in the Committee.— The right honourable gentleman had begun with saying he was always desirous of appealing to the House, on the sense of what he called the good times of the Constitution. Mr. Sheridan said, he should be glad to join in that appeal, if he saw it done with an honest intention, or if he did not see that this was done by gentlemen who only referred to those times when they had to introduce any subject which had for its object the increase of their own power hereafter, and took references from times of danger, for the purpose of quoting the degree of confidence which was then thought to be necessarily reposed in the officers of Government; and thus the better to prepare the people at this time for the same confidence, when the same danger did not exist, and consequently where there could not be the same reason for such confidence and power. Here the right honourable gentleman's deception began. He said, that immediately after the declaration of rights, and the bill of rights, came a power by which the King was enabled to order any person to be taken up, and that on suspicion only, of being an enemy to the state. Having advanced thus far, the right honourable gentleman then came to a conclusion directly, that what was done on that occasion should certainly, by the fairest reason, be done on this; for, said he, would you not do now what the wisdom and virtue of your ancestors prompted them to do under similar circumstances? The answer was plain and short. The circumstances are not similar. We were, at the time that the right honourable gentleman alluded to, at the æra of a revolution. Was that the case with this country at this moment? Did the right honourable gentleman, or did they who pretended to agree with him, mean to say and to persevere in it as an argument, that we are now in an equal degree of danger, as we were at the time of the revolution? If this was answered in the affirmative, then there might upon that answer be an end entirely to every barrier which the subject ever had against oppression; for if we were now in a state as alarming as at that period, the argument would go to the suspension of the Habeas Corpus act, and to place the whole kingdom under martial law. But it seemed that the present time was to be

considered similar to that of the revolution to a degree only—To what degree? If two or three factious persons could be named in this country, was that to be considered as similar in such a degree to the time of the revolution as to render it necessary to introduce the same measure of precaution as at that period? But who were these very factious persons? Upon this, however, the right honourable gentleman had come to something like a pledge that he would name certain persons of that description at some future day—"I now challenge him" to name those persons when he pleases," said Mr. Sheridan; "for painful as these observations are for me to make, I must repeat to that right honourable gentleman that I expect to hear his list of names and his proofs, but then let me tell him what sort of proof I shall require of him." He meant not to be satisfied with the right honourable gentleman's reiterating his charges vaguely, or even of his naming any particular men, and calling them traitors, because we all knew the facility with which that could be done. Nor did he mean to say he should be contented with hearing general assertions of our danger. He should expect to hear the right honourable gentleman mention the names of the conspirators, and what they were; and what measures they had taken to manifest their intentions, and consequently to justify the right honourable gentleman with loading them with the black appellation of traitors. He should expect also of all the supporters of the bill in question, as a matter of necessity and as a measure justified by precedent, some proof of that necessity. If they failed in this, then he must declare them the calumniators of the people of this country. At the time which was now said to be similar to the present, he meant the revolution, something like evidence was given of the necessity of the measures which Parliament adopted. A plot had been formed against the King's life, and the King himself came to Parliament and informed them of the discovery of the plot, in a speech which he delivered from the throne. [Here Mr. Sheridan read the speech of King William to the Parliament—the substance of which was, that there was a plot to assassinate His Majesty] Would the right honourable gentleman assure us that his present Majesty had made such a declaration to him, even in private? That there was a plan laid for the sudden invasion of the kingdom, (of which there surely

could be no danger, while we had so vigilant and active an administration;) that some of the conspirators were already in custody, and that care had been taken to have the others discovered. Now, to be plain with gentlemen who said this bill was necessary, he must say that he wanted proof, something like this. Now, what was the case in the present moment, and how stood facts with respect to sedition in this country? Why, he believed there was one Editor of a Newspaper who had been frightened by Ministers, and had run away; an Attorney was under prosecution on a charge for which he had given bail, and a bill-sticker was in jail! These were the mighty proofs of the whole country being in a state of insurrection! But to come nearer to the right honourable gentleman's doctrine, and the consistency of his conduct—he had, in the course of the discussion of this subject, maintained the right of the Legislature to alter the succession, and to support the principle of punishing those who asserted a contrary doctrine; and yet, if the right honourable gentleman was to be judged by his first pamphlet on the French revolution, he would be the first to incur that penalty. Having said this, he returned to what appeared to him to be the real spirit of treason, and he desired the learned gentlemen on the other side to refute him, if they could. The true way of defining treason, was by the intention of the party, and the overt act was only to be regarded as evidence of the intention. As to the observations of the right honourable gentleman on the necessity of rights remaining in a state of inaction for a long time, that they might acquire new vigour, and his simile of sleep to the body natural being the same as inactivity for a time to the body politic, there was no doubt of its being beautiful enough, and applicable too, for the Minister had often sung a sort of lullaby to the Constitution. But as sleep was the sister of death, and yet relieved the human body from the weariness of labour, surely there was no propriety in comparing it to the affairs of human life, and the benefit of civil rights; for although a human being might sleep to recover his health, there was no necessity for rights in society to be suspended in order to be preserved. The only objection he had to the figure was, that it had no truth for its foundation, for there was none of the weariness which required rest to any of the rights of the people



of this country. The right honourable gentleman had made some allusions to a fortress, and said, that it was in some degree like a prison; but it became so only in consequence of a siege. Here again truth was not attended to in the figure, and upon this occasion he could not help coming to some facts well known to the Public. This he did to shew, that there was not any ground for alarm in this country, and when he had done so, he trusted he should have answered the right honourable gentleman upon his observation of a fortress, evidently designed to prepare the people of this country for slavery, by comparing the island to a besieged fortress; then he must ask whether there was any real cause for alarm when the Duke of Richmond converted the Tower into a fortress, and gave it all the appearance of a place preparing to hold out against an attack? Was there any information of designs being formed for the taking it? Were there any well-grounded apprehensions of any danger? If there were, then the precaution of the noble Duke was right—If not, he must say, that this was part of the system adopted by Ministers for a well-understood purpose; they raised an alarm which themselves did not believe. The right honourable gentleman said, it was not necessary in all cases, to prove the existence of the crime, before he produced the remedy. Here again, Mr. Sheridan said, he must observe, the right honourable gentleman was wrong in principle; it was the essence of justice never to enforce a hardship without a proof of its necessity. As to the right honourable gentleman's observation upon a law, which prohibits a certain number of people going together with blacked faces, which he instanced as a proof that the law prohibits a thing innocent in itself, for the sake of preventing an evil that might possibly attend it, he must say, that here again the right honourable gentleman was wrong; for this very act was not passed without proof of there being a number of persons who frequently had disguised themselves in that manner for mischievous purposes. However, he was far from saying that a man should never make use of any art in support of his virtuous intentions. If any person carried a concealed dagger for the purpose of assassination, he was amenable to the law; but if he only brought it with him concealed, and made use of it for the purpose of heightening the effect of an oratorical attitude in the delivery of a sublime

speech, he certainly was not. Again, the right honourable gentlemen had alluded to the act of Parliament which prohibited ships of a certain size and form from being employed in certain parts of commerce, in which the revenue was interested. An act, Mr. Sheridan said, which was harsh enough, and such as he did not approve of, but yet it was not passed before there had been proof laid before Parliament of the evils existing which this act was proposed to remedy.

Thus far he had chosen to follow the right honourable gentleman on his own ground, that laws were made against things in themselves entirely innocent for the purpose of preventing mischief. The truth, Mr. Sheridan said, was certainly so; but then the right honourable gentleman forgot to add a few words, a little essential to the sense of the maxim—"after some proof was given of the necessity of such a law:" the whole of this had been totally neglected by the right honourable gentleman, and all the advocates for the present bill. The right honourable gentleman said, that, as to the destruction of the constitution, he had no apprehension of it, and that he had no thought of giving it up; and then he launched out, as usual, into bitter invectives against the new affairs of France. Mr. Sheridan said, he had no objection to our avoiding to imitate the French, and to act for ourselves in every thing. He wished that French principles, old as well as new, should be resisted; but if, in resisting the new, we inclined to imitate the old system of government in France, we should have no reason to congratulate each other upon our prudence. The old system of that country united all things that were hateful to a lover of liberty. It was kept up by the most abominable mode that was ever known in any part of Europe—by military insolence, instead of civil law—by extraordinary trust and confidence in the King's Ministers, instead of watchfulness and jealousy—by tame acquiescence in all his measures, instead of resisting or examining any part of them; he wished, therefore, that as we rejected the new system of politics in France, we should take care not to fall into any imitation of the old. As to what the right honourable gentleman had said upon giving up, if that became inevitable, the liberty of his country; and his remark, that were he Cæsar, he should rather yield to Brutus, than to the great monarch of Persia; the situation of this country was not so bad

as to make it necessary to enter into the imagination of any man that there was any danger to be apprehended to us from any disputes between individuals to any number, much less between any two individuals. But there might be danger in placing such confidence in any one, as to be blind to the tendency of his measures, and suffering him to proceed without opposing them. For when Hannibal penetrated Italy, and arrived at the gates of Rome itself, notwithstanding all that devastation, Rome recovered. After the Romans were attacked, and the city sacked by the Gauls, Rome recovered. But after Cæsar had usurped the dominion, it never recovered : nor should he think this country safe, if any man in it, whatever his station might be, should be suffered to proceed proudly, haughtily, and arrogantly, as if he were above the law ; and should afterwards, by raising a false alarm among the people, by saying that the constitution was in danger, that there were traitors in the country, ultimately obtain his object—the placing himself in his situation with an establishment of despotic power. The next point to be considered was, that of the charges against the right honourable gentleman (Mr. Burke) in the National Convention. That right honourable gentleman had taken upon himself, on that occasion, to make use of the *visites domiciliares* as practised in France, as a proof of their violation of the principles of justice. It was certainly harsh enough ; but upon this point, the right honourable gentleman might find some topics at home that would very worthily employ his wit, if he pleased ; for to him the grievances and distresses of mankind were subjects of his mirth. He might see in this metropolis the *visites domiciliares* thriving wonderfully under the auspices of Mr. Reeves, and the society of which he was so worthy a president ; as also under Mr. Luke Idefon, and Sir Joseph Bankes ; these gentlemen, by themselves and agents, particularly the latter, had entered into a great number of houses, and had called upon the occupiers of them to give in a particular description of their inmates, the sex, the age, the stature, the colour, the complexion. In short, Sir Joseph particularly had examined into these circumstances, with all the curiosity of a naturalist ; and he must say, that unless we abandoned this practice, we should complain with an ill grace of the *visites domi-*

*ciliaries.* As to the danger to which the right honourable gentleman alluded, and to which he said he was exposed, unless he has more apprehension of it than I have for him, said Mr. Sheridan, he will be pretty easy under that consideration. But indeed, if he had not said he quoted from the *Moniteur*, I should have thought that he was speaking from his own mind, and for himself, as the whole of the matter is perfectly like the substance of his own speeches upon the affairs of France.—As to the gold to which the right honourable gentleman had alluded, certainly he had been a little public in the declaration, as well as the circumstances with which he had accompanied it; he had, indeed, in the hints he had thrown out upon that subject, and the possible effect of it, reminded Mr. Sheridan of the practice in the trial of Sir Robert Walpole, when gentlemen in that House used to cry out, ‘Places! places! places!’ But as to places, whether it was that gentlemen had lately gone over to the Minister in such numbers, that there was not room for them all, or that, in the language of John Bull, they had eat up all the corn already, he knew not, but he believed that, all circumstances considered, there was a tolerable security, at least for a time, for the independence of the right honourable gentleman. As to the observation of the noble Lord, that in all other wars between this country and France, the two countries had respectively paid attention to the constitution of each other, he wished to know whether the noble Lord thought the fact so, when that power wanted to force us to accept of a pretender to the throne? and whether, if the French do not again receive Mr. Frost with an address, and think proper to have another King, that we shall then be in a state wherein we shall have nothing to fear?

Mr. BURKE explained.

Mr. HARDINGE said, that if he could ever be arrogant enough to think of answering the honourable gentleman who spoke last but one, (Mr. Sheridan) it was become impracticable to-night, upon other grounds than those of his general fear to encounter him. For most of his argument having consisted in a direct attack upon the right honourable gentleman who spoke last, (Mr. Burke) a person of so elevated a character, and who had so convinced the House by his eloquence, that any formal efforts to vindicate him, though even by the first abilities, would

be injurious to the rank which he filled in the country, and the particular impression which he had recently made ; but he would explain to the House upon what grounds he approved the expediency affirmed in this preamble, namely, the expediency of preventing with more effect all treasonable correspondence and assistance to the King's enemies. He thought it expedient in every war, first, to declare doubtful cases of treason ; second, to make treasons that were clear, in point of law, better and more generally known ; third, to enact new treasons, if the exigency of the case naturally pointed them out. He said, the honourable gentleman (Mr. Sheridan) had said, that he hoped the new treasons would not be adjudged by the mere act, but would be determined by the purpose ; that he hoped in God they would not, in merey to the individuals warned against the offence, and in sound policy for the public. If the legal criminality of these acts were to depend upon proof as to the purpose, it would be a death's blow to the policy of the bill, and would ensnare the individuals, leaving them at the mercy of a loose interpretation upon the motives. He applied himself here to the acts of Parliament which the return to this country made penal, and in times that gave to us those famous Whigs the Cavendishes, the Bentincks, and the Russells. In these acts, the return to the country being constituted the offence, offenders were tried, and pleaded the purity of their motives. Lord Holt, the most enlightened of all judicial men, resisted their plea, and after commending the policy of these new laws, affirmed the offence to consist in the mere fact prohibited. He commended this bill (though made of course by the Tories, if they were not Members of the Whig Club) for softening that penalty, and converting the offence from treason into misdemeanor, with a power subject to the responsible discretion of the executive power to make it no offence at all. He said that he was proud of the support which he gave to the Government in this bill, whose preamble was its principle, and which principle he took to be this : it was a bill which intended, by the tenor of example, to avert that species of adherence to the King's enemies, which made our subjects their storekeepers, their bankers, their indemnity, their convoy, and their allies. With respect to commerce, as far as this bill touched upon it, he would cut the knot, and would say, " Let it perish, if to

“ keep it alive the war must be fed by the expenditure of more blood, and by the increased peril of all that was dear to us, in the continuance of so dangerous a conflict.” As to loss and profit, he would ask, with whom are we engaged in this traffic? With common enemies? With enemies who warred, in a general view, for profit and loss? No. With enemies who lived by confusion; who hated all that was likely to be productive of permanent good, even amongst themselves; and profited by the subversion of order in trade, as well as in every thing else. He justified the severity of this bill, in what he called the “*ne exeat*,” and the “*ne redeat*,” by a single word, “fraternity,” a word familiar at Paris, and engraved upon all the bayonets of our enemy in the field. It was the love, the patriot and protecting love, to us which he deprecated; they loved us a little too well—

“*Tantum infelicum nimium dilexit amicum.*” Virg.

They embraced our disaffection, and they declared their wish to overturn the constitution, as a favour to the English patriots. Why should the English be resident at Paris in such a time? Why such a domicile? If they fought us with fraternity, would not the contagion of that good will to us be more likely to reach those with whom they lived in the habits of general society as friends? The return was therefore suspicious upon the face of it, after such a residence; but the suspicion could be defeated and repelled by a fair account of the individuals to the executive power, in whom the discretion was reposed. If that power was not well chosen for the purpose, and a better check upon the abuse of such a discretion could be suggested, he would accept the suggestion most gratefully. For these reasons he thought the bill had stated a correct principle, and to which, in a general view of them all, its provisions were clearly, politically, and even mercifully applied.

Mr. CURWIN objected to the postponement of the preamble.

Mr. RYDER said, that after gentlemen had entered so largely into the subject, he thought it right to conclude the debate on the preamble of the bill; he should therefore vote against postponing the preamble, and move that the preamble be now agreed to.

Mr. FOX admitted the propriety of not postponing the preamble, and urged several forcible reasons why a better one might be substituted instead of that which the Committee had before them.

Mr. Chancellor PITT agreed also that the preamble should not be postponed ; but was of opinion, that after so much discussion, the House might determine on it, and proceed to the clauses.

Mr. T. GRENVILLE was for postponing the preamble, until the Committee should know to what extent the bill should go, in order that they might be made commensurate.

The question, "That the preamble be postponed," was then put and negatived.

Mr. GREY moved an amendment, that after the word "whereas," these words be inserted—"Doubts and inconveniencies having arisen on the construction of the 25th of Edward III. ; and whereas it is expedient to obviate the same in future ; and whereas it is expedient to prevent assistance being given to His Majesty's enemies during the present war, be it enacted."

Mr. FOX wished that the learned gentleman would explain in what respect the statute of Edward III. was doubtful, and how far the present law was declaratory, and how far enactive ? He begged likewise to know, whether it was to be temporary or perpetual, and argued on the inconveniences which he conceived to be necessarily attendant in either case. Mr. Fox regretted that the business should be brought on during the absence of his learned friend, in consequence of his necessary attendance on the circuit, when otherwise it might have been expected to receive so many lights from his professional knowledge.

Mr. Chancellor PITT contended that the terms of the preamble were precisely in reference to the tenor of the clauses.

Mr. FOX spoke in reply.

The ATTORNEY GENERAL explained what parts of the bill were declaratory and what enactive. He regretted the absence of his learned friend, but said that if the bill were postponed on that account, it would have to fall into other hands than his own, as he was obliged shortly to go into the country on a business perhaps at least equally urgent.

Mr. SHERIDAN observed, that the learned gentleman had said nothing on the subject of the amendment of his honourable friend, and thought that he had not been sufficiently explicit in answering the questions that had been put to him relative to the present bill. According to the first clause of the present bill, if a man thought proper to send a pot of anchovies or a box of mackeronie, to his friend abroad, he might be hanged. Was that clause enactive or merely declaratory?

The SOLICITOR GENERAL spoke a few words relative to the penalties of the bill.

Mr. FOX condemned the danger which men were made to incur by the penalties of the bill; and hoped that the Legislature of this country would not do that which had so much disgraced the people on the other side of the water, viz. deem lightly the lives of their fellow creatures.

The SOLICITOR GENERAL explained.

The question was then put on the amendment, and negatived; as it stands in the printed bill, agreed to.

On the first clause,

The ATTORNEY GENERAL remarked, that he meant to settle the time of the commencement of the act by a particular clause.

Mr. SHERIDAN asked, whether or not by the words, "within any of the dominions of His Majesty, or being a subject of His Majesty," it was meant that the act should apply to His Majesty's Irish subjects; and also, whether or not, by the words "occupied by any force employed, or to be employed by France, or in alliance with France," it was meant to extend the penalties of the bill to supplying with the enumerated articles any port in the dominions of any state that might be over-run by, or drawn into an alliance with France, and what in this case was to be the definition or construction of force.

The ATTORNEY GENERAL said, the clause did not bear that construction, and that a man could be alone guilty of high treason under it, who should send the enumerated goods to a place occupied by a naval or military force, acting with, or preparing to act in aid of France.

Mr. FOX observed, that this would lead to an absurdity, for supposing a force should be assembled at Philadelphia, for



instance, to co-operate with France, it would be treason to send the enumerated goods to that place only, and not to any other within the jurisdiction of the thirteen states; or should a ship be sent with goods to a town where there was no French force, or force of a power in alliance with France, at the time when the ships were dispatched, but some such force should arrive there before the ship, then the person who sent the ship, would, without his own act, or knowledge, have committed treason within the meaning of the clause.

Mr. Chancellor PITT said, that this was by no means the meaning of the clause; all that was to be understood by it was, that he should be guilty of high treason, who should send goods to any place or country, occupied or overrun by the troops either of France or her allies, without any reference whatever to the force belonging to the country so occupied or overrun. He said the difficulty would disappear, if certain words of the clause, which he read, were omitted.

Mr. VANSITTART wished to know whether a British subject making a remittance in money to a person in a country occupied by the French, such remittance being in discharge of a just and *bonâ fide* debt, could be said to incur the penalties of treason within this clause.

The ATTORNEY GENERAL answered in the negative; for the words were who should sell, supply, or furnish any of the enumerated articles, of which money was one; now a remittance for the payment of a debt could not come within the meaning of the words, to sell, supply, or furnish.

Mr. FOX insisted, that the learned gentleman was not fully aware of the whole of the difficulty of the case, for by a law already in being, cash beyond a certain sum was not to be exported; and by a subsequent clause in the present bill, it was made penal to send to France, or to countries occupied by her troops, or those of her allies, any notes, or bills of exchange.

Major MAITLAND asked, whether a British subject actually possessing lands in France, was to be deemed guilty of treason, who should sell in France, the produce of his estates situated in that country?

The ATTORNEY GENERAL said, he had no objection to a clause for exempting British subjects so circumstanced, if any such there were, from the penalty of treason, merely for selling the produce of their estates in France, specifying, however, that the exemption should not extend to such subjects as should acquire lands in France after the passing of the present bill.

Major MAITLAND observed, that French emigrants in England, who had estates in France, were, in point of equity, entitled to the same objection.

The ATTORNEY GENERAL was of a different opinion, and for this reason, that Frenchmen, who had estates in France, might come to England, if such an exemption were made in their favour, for purposes hostile to this country.

Major MAITLAND concluded, that whatever force that argument might have had before the passing of the Alien bill, it could have none now, because His Majesty's Ministers had a power to send all ill-disposed foreigners out of the kingdom; and if any such were suffered to remain here at present, it was a proof of criminal remissness in the servants of the Crown.

The ATTORNEY GENERAL admitted the force of this reasoning, thanked the honourable gentleman for reminding him of the Alien bill, which had escaped his memory, and said he would bring in a proviso for extending the exemption in question to Frenchmen who should be in the predicament described by the honourable gentleman.

Major MAITLAND suggested another hardship: he supposed the case of a foreign merchant, landed in England for the purpose of settling some commercial concerns here, and that, in his absence, a partner in his house should supply the French with any of the enumerated articles without his knowledge, such partner being authorised so to do by the law of his own country, he asked, whether, under this clause, such merchant might not be said to have committed an act of treason against the King of England. He thought it would be absurd to pronounce the man to be a traitor under such circumstances; but still he believed the clause, worded as it was already, would reach his life.

The ATTORNEY GENERAL said it would not, because, as the case was stated, it would appear that the act done

by the partner abroad was not with the privity of the partner in England, and consequently the latter could not be considered as coming within the letter or spirit of the clause.

Mr. FOX observed, that the clause, making it treason in any of the subjects of the King to supply the French with the enumerated articles, necessarily included the people of Ireland, who were certainly subjects of the King, and consequently it went to legislate for Ireland, by making that treason in an Irishman by an English act of Parliament which was not treason by an Irish act.

Mr. Chancellor PITT said, that the difficulty started by the right honourable gentleman was connected with points of great delicacy. It was, no doubt, true that the people of Ireland were the King's subjects; it was true that they had an independent Legislature; but as they had a common interest with the people of England, so it might be presumed they would adopt such regulations as were calculated for the general good of both countries, and of our empire. When any such regulations were to be proposed, one of the two Legislatures must take the lead, but could not mean by that to act for the other. He felt that the subject was delicate, and therefore he did not much like to go into it; but he thought he might venture to go so far as to say, that if England was to make an act treason in all His Majesty's subjects, which was such by any law of Ireland, if such act was done in Ireland by an Irishman, who should afterwards come into England, he might be tried and executed for it. In like manner, if the Parliament of Ireland was to make an act treason in all His Majesty's subjects, which was no treason by any law of England, and should an Englishman do that act in England, and go afterwards to Ireland, he might be there arraigned and executed for it.

Mr. FOX called this the most extravagant doctrine he had ever heard: he said he could understand the idea of one country legislating for another under its dominion, but he had never heard of two independent countries legislating by turns for each other. He put the case, that the Irish Parliament should happen, for the purpose of encouraging tillage, to give a bounty on the exportation of corn generally to any part of the world, at a time when England made the exportation of it to

France, or to her allies, treason by the present bill, he asked, whether there could be common sense in saying that an Irishman, who, in his own country, would, in that case, be entitled to a bounty for having exported corn, should, in case he ever landed, be liable to be hanged, drawn, and quartered, for the very act for which he had received a bounty at home. He equally ridiculed the doctrine laid down by the right honourable gentleman, that an Englishman might be executed in Ireland by virtue of a law there for an act done in England, and not prohibited by any law of England. Here difficulty arose from difficulty: the clause, worded as it was at present, would make it a question whether Irish merchants, residing within foreign countries, ought to be considered as coming within the penalty of this clause. His own idea was, that a law should be extended to those only whose appearance in a court it was in the power of the Legislature to compel, and therefore he was of opinion that the operation of the clause should be confined to persons residing within the empire of Great Britain. Perhaps difficulties might be started also respecting the colonies, whose legislatures might think that the British Parliament ought not to legislate internally for them.

The MASTER OF THE ROLLS said, the debate had taken a very serious turn, and he thought the question respecting Ireland deserved a grave and distinct discussion. He was of opinion that an act declaratory of the 25th of Edward III. necessarily extended to all His Majesty's subjects, and let the act of treason have been committed where it might, the person charged with the commission of it might be tried in England; and this doctrine was clearly laid down by a statute of Henry VIII. With respect to the colonies, he did not, and could not, doubt the right of the British Parliament to legislate for them; and when he heard that right questioned, he was disposed to think that Englishmen were going to dissolve the bonds of allegiance which held them together.

Mr. FOX replied, that he had never doubted, much less questioned, the right of the British Parliament to legislate even internally for the colonies; he ever had, and ever should maintain that right: all he meant to say, when he first alluded to it, was, that of late it had been a practice founded in discretion not to call forth that right into action without necessity.

But this did not apply to Ireland ; for if ever the British Parliament had a right to legislate internally for her, it had been formally and solemnly renounced.

Mr. ANSTRUTHER put the extreme case, that the Parliament of Ireland should repeal that part of the 25th of Edward III., which makes it treason to imagine the King's death, and that several gentlemen in Ireland were, in consequence of that repeal, to form plots for taking away His Majesty's life, he asked whether any man could lay down so extravagant a proposition as to say, that should these gentlemen afterwards come to England, they could not equally be brought to trial and punishment here for that which was still treason in England, though it should have ceased to be so in Ireland ?

Mr. FOX said, that such conduct on the part of the Parliament of Ireland, were it possible, would afford a better argument for separating the two kingdoms, than for bringing persons to trial in defiance of general principles,

Mr. YORKE observed, that the independence of Ireland was the consequence of a bill brought in by that right honourable gentleman—a bill which he ever had considered, and ever should consider, as a very hasty and unwise measure. He very much blamed those who had given rise to the present delicate discussion.

Mr. FOX replied, that he certainly was one of those who had brought in the bill to which the honourable Member had alluded—a bill which he ever had defended, and would defend to the last moment of his life. The difficulties of the State, which he had had no share in bringing on, had left him no alternative, or the chance of seeing the empire torn by new distractions ; he believed no measure had ever been attended with more unanimity ; and he was sure that whatever trifling inconvenience might have been occasioned by the independence of the Irish Legislature, no injury or disadvantage whatever had resulted from it to Great Britain.

Mr. SHERIDAN said, those only were to blame for the present discussion who had so framed their clause as to open a door to jealousies and discontents in Ireland ; and those were the friends of both countries who wished to remove all grounds for jealousies and discontents between two nations who had one common interest. The bill to which allusion had been

made was so far from having been hasty or unwise, that it was to that very bill we were indebted for the preservation of the connection between the two kingdoms. No man was more convinced than he was of the necessity of a good understanding between both; and he had not a doubt, if left to themselves, they would ever agree. The Irish Parliament had never yet refused to adopt any law which England thought it for the benefit of the empire to make the law of the two countries; nay, it had re-enacted the Irish act, by which, and by which alone, the Crown of Ireland was annexed to that of England. As for himself, he was so thoroughly persuaded that the two nations ought to act upon the same principle, that hostile as he was to the present bill, and wishing most sincerely that it might never pass into a law here, yet, should it become an act of the British Parliament, it would give him very great concern indeed if it was not adopted by Ireland; because if it was not, England could not reap the benefit which she expected from it, if it should not be re-enacted by the Parliament of Ireland. The good sense of the latter would always make her co-operate with England in the general cause, and there could not be good policy in forcing upon her, by a side wind, a measure which he was convinced she would be forward enough to adopt of her own accord. Adverting to Mr. Pitt's doctrine of the two kingdoms mutually legislating for each other, he said it reminded him of the manner in which a deep philosopher of Cambridge had once solved the question whether the sun turned round the earth, or the earth round the sun? his answer was, "Partly both, for it is sometimes one, and sometimes the other."—Mr. Sheridan afterwards pointed out several amendments which ought to be made in the clause, besides those which the learned framer had allowed to be necessary; and he said he would not consent to pass over the clause in its present shape, under a promise that provisos should afterwards be brought up for removing the various objections to the clause; for though such provisos were often promised, he seldom ever saw them afterwards produced, or produced in the stage that was expected.

The ATTORNEY GENERAL said, he certainly had formed his own opinion on the subject of the important discussion that had just taken place, though perhaps it might not

be sound policy to state that opinion at present; however, as it was a matter of great moment in itself, and as gentlemen wished to have farther time for discussing it, he was willing to adjourn the farther consideration of the bill till Monday. Accordingly he moved, "That the Chairman should leave the chair, report progress, and ask leave to sit again."

The motion was carried, and the House, being resumed, adjourned.

*Monday, 25th March.*

Mr. Secretary DUNDAS said, that he found it necessary to delay bringing forward his propositions respecting the trade and government of India till Thursday next; and that, if some difficulties and misunderstandings were not previously removed, he would be obliged to defer submitting them to the consideration of the House till after the holidays.

The ATTORNEY GENERAL moved, "that the order of the day for going into a Committee of the whole House on the bill for preventing traitorous correspondence, &c., with the enemy, during the present war, should be discharged, and that the House should resolve itself into the said Committee to-morrow."—Ordered.

Mr. SHERIDAN began with alluding to the change that had taken place in the arrangement of the business of the week, and expressed his satisfaction that the honourable and learned gentleman (the Attorney General) did not now conceive his bill to be so pressing as he and its other supporters had done a few days ago, but had been taught to think that a matter of such momentous importance required at least some little consideration. Mr. Sheridan proceeded to say, that, with respect to the business to which he was now to call the attention of the House, his instructions had been, and his intention was, to have brought forward, as on that day, such facts and arguments as he trusted would have fully supported the motion which he meant to have submitted to the House, that leave should be given to bring in a bill for reforming the internal government of the royal boroughs of Scotland. He had, however, been given to understand, that if the object of the bill, which he now wished to introduce, was meant to be carried as far as his former propositions on the subject had gone, which

was certainly the case, a determined opposition would be given, even to the motion for leave to bring in the bill; by which means the matter would go off without any investigation, and the great purpose of those numerous and respectable bodies of men, who had sent up petitions to that House, would be thereby defeated, viz. the having all the facts and evidence on the subject fully and fairly considered and discussed. This being the case, he found himself inclined to change his plan, and to follow the mode which had been adopted last year, of moving to go into a Committee of the whole House to take into consideration the several petitions which had been presented in the present session, with the accounts and other papers on the table. He thought he might be justified in saying that such admissions on the subject had been already sanctioned by the House in the proceedings which took place last session as to the Lord Advocate's bill, &c., as ought to be a pledge against refusing leave to bring in such a bill as he would have to propose; but on this he did not wish to rest, since he was told an opposition was intended, because a full and fair inquiry, which is the great wish of the petitioners, as expressed in their petitions, would perhaps be best answered by going into a Committee. It was indeed impossible that the subject could be so well discussed, or that all the circumstances of which evidence had been adduced could be so fully understood and canvassed in the House as in a Committee. The mode of proceeding which he would adopt in the Committee would be, first, to move a string of resolutions, founded on facts, with respect to existing abuses; secondly, to detail the mode of remedy which he would propose; and thirdly, the resort would be a motion for leave to bring in a bill to effectuate such remedy. He trusted that the right honourable gentleman opposite to him (Mr. Dundas) could have no objection to taking up the business in this way; that right honourable gentleman had spoke with much feeling, at the beginning of this session, of his unpopularity in Scotland; and he was told that that unpopularity, so far as regarded the present subject, was not so much owing to the opposition which had been given to it by the right honourable gentleman, as to the mode of that opposition, by refusing to go into any inquiry whatever, after such a mass of evidence had been laid upon the table in consequence



of the orders of the House. It would not surely be said that there was not time to get through this business in the present session, when the right honourable gentleman himself had so much other business yet to carry through; and he hoped also that no remarks would be made on its not being brought forward sooner. The petitioners were unquestionably the best judges as to the proper time of bringing on the matter, and it seemed but a matter of prudence to allow the late panic, whether well or ill founded, to subside a little, before proceeding in a business which had somewhat the appearance of innovation, though, in truth, it was only in appearance. Mr. Sheridan concluded with moving, "That the several petitions, &c., on the subject of a reform in the internal government of the royal boroughs of Scotland, should be referred to a Committee of the whole House."

Mr. Secretary DUNDAS certainly thought that the matter had been brought forward at rather a late period of the session, and that this observation operated the more forcibly from the very important business relative to India which was soon to occupy the attention of the House. There was upon the table an immense mass of papers regarding the present subject, and he was sure he could demonstrate to the House, that if the mode proposed by the honourable gentleman should be adopted, the business could not be gone through in two sessions. He had thought that the honourable gentleman meant to have moved for a Committee of another kind, viz. a Select Committee, who might class and arrange the papers on the table, and might make a report to the House of the general import of the facts and evidence. At present he would only object to going into a Committee of the whole House, for the reasons which he had already stated, but would not oppose the appointment of a Select Committee, though he thought it right and fair to say, that, from the view which he at present entertained of the subject, he would most probably feel himself obliged to give his decided negative to any proposition which should go to such a length as he understood was intended.

Mr. SHERIDAN said, he would not object to the proposal of the right honourable Secretary; for perhaps it might tend to shorten time, and to bring the business forward in a proper shape: it was rather curious, however, that the right honour-

able gentleman should be surpris'd at his not having now moved for a Select Committee, as it would, no doubt, be recollected, that he did so last year, and that it was more oppos'd then than even an open Committee. There was, he said, a peculiar hardship in the situation of the petitioners, who had fully established, by evidence on the table, that the spirit of their original charters had been departed from, that the public funds of the boroughs had been wasted and dilapidated, that money had been illegally extorted and exacted by assessments and otherwise, upon unjust pretences, and that various other abuses had been practis'd. He had, however, no objection at all to go into the proposition of the right honourable gentleman. As to the appointment of a Select Committee, provided it should not go into any minute length; and, although the papers and mass of evidence were bulky, yet he thought, with the helps which the Committee would have, it would not be difficult to arrange and digest them, and he conceived they might be enabled to make their report to the House in about a week. He would therefore conclude with moving, "That the several petitions presented to this House during the present session, and the papers and accounts presented during former sessions, respecting the internal Government of the Royal Boroughs of Scotland, should be referred to a Committee, to examine the matter therein contained, and to report thereupon to the House."

The question was put and carried, and the following gentlemen nominated on the Committee.

R. B. Sheridan, Esq.  
 Charles Grey, Esq.  
 Col. M'Leod,  
 Hon. Major Maitland,  
 Hon. T. Erskine,  
 W. H. Lambton, Esq.  
 S. Whitbread, jun. Esq.  
 Lord Wycombe,  
 Laurence Dundas, Esq.  
 W. Adam, Esq.  
 J. R. Burch, Esq.  
 W. Smith, Esq.  
 J. C. Curwen, Esq.

Hon. H. Hobart,  
 Lord Advocate of Scotland,  
 Mr. Attorney General,  
 Mr. Solicitor General,  
 Lord Mornington,  
 W. Wilberforce, Esq.  
 J. Sargent, Esq.  
 Hon. R. B. Jenkinson,  
 R. Burdon, Esq.  
 Sir E. Impey,  
 John Anstruther, Esq.  
 Hon. D. Ryder.

The House adjourned.

*Tuesday, 26th March.*

The SOLICITOR GENERAL moved the order of the day for the House to resolve itself into a Committee of the whole House on the traitorous correspondence bill. He said he should have a number of amendments to propose to the various clauses of the bill; these amendments arose from the suggestions of gentlemen who had taken up the discussion of the bill on former occasions. The first amendment was to confine the operation of the bill to persons residing in Great Britain; he then explained the general nature of the various amendments, and suggested that after the report the whole might be reprinted. The House then resolved into the Committee accordingly.

Mr. FOX said, that he apprehended the idea of the learned gentleman who brought in this bill, in having the whole of it altered and afterwards reprinted, was a proper one, as he understood it; for he took it to be done with a view of correcting the blunders of the bill as it stood at present. Supposing the bill to be necessary at all, the confining the operation of it to persons residing within the realm was just. When it came to be discussed after the whole was reprinted, he believed there would appear abundant reason to see that the opposition it originally met was very proper, and he had no doubt but that it would after all be necessary that it should be recommitted, because objections to such a bill could be better discussed in a Committee than in any other stage of it; indeed he should like to see a great number of amendments to the bill; for without them it would be impossible to proceed, as none could well debate upon a measure that was not intelligible; when the bill was made intelligible, then he thought it might be possible to discuss it in a Committee.

When the Chairman proceeded in the first clause, to the blank which was to be filled up with the day on which the bill was to operate,

The SOLICITOR GENERAL proposed the 20th of April.

Major MAITLAND thought it too early a day; he doubted whether the bill would pass before that day, considering that the holidays intervened,

Mr. FOX was of that opinion also ; but observed that it would be competent to any gentleman to move any amendments he might think fit. When the bill should be in another Committee, he should bring forward his observations chiefly upon the re-commitment.

Mr. Chancellor PITT had no objection to the re-commitment, but thought there was no occasion for delay ; the whole might be printed to-morrow, and the report might be taken into consideration on Thursday. He wished therefore that gentlemen who had any suggestions to make, would bring them forward in the present Committee, in order that the whole might be considered in a general view upon the report.

Mr. FOX said, he wished to debate the clauses separately on the report, and to submit to the House his reasons for thinking they ought to be rejected, being of a principle that could not under any modification be rendered tolerable to the subjects of a free country.

Mr. ADAM said, the time proposed for the commencement of the operation of the bill was much too short, nor could it be agreed to without manifest injustice to many inhabitants of the kingdom. A great part of the subjects of this country were at such a distance that it would be impossible for the intelligence of the bill passing to reach them, before the day its penalties attached, he meant the northern extremity of the kingdom, such as the Orkneys. Besides, by the practice of the Courts of law in Scotland, double that time would be allowed to the inhabitants of the Orkneys ; under such circumstances they might subject themselves to the penalties of treason, without even knowing it ; he was therefore clearly of opinion that a longer time ought to be given.

The SOLICITOR GENERAL said, he did not think the part of the country alluded to by the honourable and learned gentleman, likely to supply the enemy with any of the articles specified in the bill.

Mr. ADAM refuted this, by observing, that they might sell salt fish, which would certainly come under the head of provisions.

Mr. Secretary DUNDAS thought that no local distinction ought to be made with respect to the passing an act of Parliament. If, in the course of the progress of the bill, the day

should appear to be too early a one, nothing would be easier than to alter it.

Mr. GREY thought the day much too early, and expected Ministers to think so too, when they reflected on the nature of the bill, and on what had already happened. There had been a long debate before they were able to go through three lines of the bill. If they thought they would get through the Committee on Thursday, they deceived themselves very much ; a great deal of debate was likely to arise upon this measure in that House, and if it should ever go to the Lords, much debate might arise upon it there also ; he did not see why Ministers should expect that such a bill should go on smoothly ; he should therefore advise a later period than the 20th of April.

Mr. Secretary DUNDAS said, there were many stages of the bill in which an alteration might be made as to this date, if that should be necessary ; and as to persons in the North supplying either our enemies or our friends with provisions, that did not appear to him to be very likely.

Mr. ADAM again maintained, that every individual in the State was entitled to reasonable notice of the commencement of a law, and if he had no such notice, he was treated very unfairly ; but it would be cruel, indeed, to subject him to death for want of such a notice.

Mr. ANSTRUTHER was of opinion that the 20th of April was sufficient notice, for the tendency of the bill was well known already.

Mr. COURTENAY said, that with respect to things being well known, we were often deceived ; those of the greatest consequence might be concealed for a long time. We all know that King William landed in this country four months before it was publicly known in the Orkneys. In this case, he thought the day must be too early, and that many persons might be liable to the penalties of high treason, before they knew they had been guilty of any offence. He made some observations on the Secretary of State for alluding to the poverty of his native land.

Mr. ERSKINE said, he did not know what length of time would be necessary to convey intelligence from that House to the Orkneys ; nor did he know how much time might have elapsed from the time of the landing of King William to that

of its being publicly known ; if he had never perused any thing but this bill, he should find some difficulty in believing that King William was ever in the island ! He then observed, that gentlemen who were so eager about passing this bill, did not seem to have attended to its provisions ; he said he was prepared to prove, that as it now stood, it would subject to death a father who had sent a bank note to his son beyond the seas, in a letter, if such a person was in the army, under certain circumstances, and this might be done by a person who had never heard of the bill. If this and many other points were not amended in the Committee, the bill would be a mass of injustice and cruelty.

The ATTORNEY GENERAL supported the principle of the bill from precedent, and the provisions of it from necessity ; and said, that from modifications of it in the Committee, he hoped to obviate all objections.

Mr. Secretary DUNDAS disavowed all intention of saying any thing disrespectful of Scotland. He did not wish to have it understood that he alluded to the poverty of it, for the purpose of insinuating that its interests should not be attended to. He wished to make this observation, that he might obviate the effect of misrepresentation ; for he knew it to be a trick sometimes played, to misrepresent in an answer what had been previously said, for the purpose of having that misrepresentation printed, to make a false impression upon the Public. He therefore begged leave to say, that when he spoke of Scotland not being likely to offend against law in exporting provisions, he meant only to allude to articles specified in the present bill.

Mr. BURKE spoke at considerable length, and alluded to the possibility of there being traitors in North Britain ; he also observed upon the seditious disposition in this part of the country, and the necessity of the present bill.

Mr. SHERIDAN answered Mr. Burke upon all the points to which he had alluded, and renewed the challenge which he gave Mr. Burke on a former debate upon this bill, which was, to name the persons whom he loaded with the title of traitors, or friends of the French, or enemies to the Constitution, or any of the other odious additions which his imagination could suggest to him.

Mr. BURKE admitted, that he had said the French had endeavoured to create a faction in this country in their favour, and that they had to a certain degree succeeded. He did not know any persons in this country who had been guilty of any overt acts against the Constitution; if he had known any such persons, he knew his duty too well to neglect it, he would have given proper information before a Magistrate, in order that such persons might be brought to justice. As to the other part, he had no person to name, he only meant that the French had endeavoured to create a faction in their favour in this country, and that they had succeeded to a certain degree.

Mr. SHERIDAN in answer, observed that the right honourable gentleman had said in that House, that he could name persons to their confusion, and that there existed a traitorous faction in this country; this he now abandoned; he did not wish to pin him down to his expression, and should take no farther notice of it, nor press any thing upon the subject again.

Mr. RYDER suggested the propriety of filling up the blank as proposed.

Major MAITLAND thought the time much too short; and as to the notice already given of this subject, he said no man in the kingdom was bound to take notice of any proceeding upon the progress of any bill in Parliament before it passed into a law.

Mr. FOX moved, that instead of the 20th of April, the 10th of May be inserted. After a short conversation the amendment was rejected, and the 20th of April inserted.

On the part of the first clause making it treason for any person residing within His Majesty's dominions to contract or agree to buy or procure, &c. &c. any of the articles enumerated in the bill, for the French,

Mr. ERSKINE represented that it was contrary to all the principles of the law of treason, except in the single instance of imagining or compassing the King's death, to take the agreement or intention to do a thing, of which the person agreeing or intending might repent before the thing was done, for the act itself, and making the intent as criminal as the deed, whether the deed was perpetrated or not.

On this a long debate took place, supported by Mr. Erskine, Mr. Fox, Mr. Francis, Mr. Adam, and Mr. Sheridan, on the one side; by the Attorney and Solicitor Generals, Mr. Pitt, and Mr. Dundas, on the other.

The Committee divided on the question that the words, "to contract or agree, &c." be omitted,

Ayes - - - 44

Noes - - - 131

It was afterwards understood that the Solicitor General should propose certain amendments, which were agreed to *pro forma*; after which the report was received, and ordered to be recommitted on Thursday next. Adjourned.

*Wednesday, 27th March.*

The House having, according to the order of the day, resolved itself into a Committee of Ways and Means, Mr. Hobart in the chair,

Mr. Chancellor PITT rose: he said, he had then to communicate to the Committee the terms on which he had negotiated the loan, which it had been already agreed, should form a part of the ways and means of raising the supply for the present year. Gentlemen, he observed, would recollect, that the sum which he had to borrow was 4,500,000*l.* it was originally his wish to have procured by the sale of annuities in the 4 or 5 per cent stocks; but, finding it inexpedient to pursue such an object, he had at last determined to raise it by creating new annuities in the 3 per cents. The terms on which the lenders had agreed to advance their money, and which he had thought proper to accept, were, that for every 72 advanced to the Public, the lender should be entitled to 100*l.* stock bearing an interest of three per cent.—This would make a capital in the 3 per cent. fund of 6,210,000*l.* the interest of which to be paid by the Public would amount to 186,300*l.* a year. But this was not the whole charge attending the loan; for, by the act for appropriating the million surplus, it was provided that, whenever a new loan should be made, a fund equal to one per cent. on the whole of it must be provided, and applied to the liquidation of it; this would require an annual charge of 62,100*l.*



making in the whole, including the interest, 248,400*l.* per annum. He said that, if he was to look to nothing but the price the public stocks bore, when the loan was made, and were he to consider only the general state of the country, with respect to its commerce, finances, and political aspect, he could feel no difficulty in admitting that terms much more advantageous to the Public might reasonably have been expected, than those on which he had deemed it necessary to accept the loan. He therefore did not mean to say that the terms were good; but he assured the Committee they were the best he had been able to procure. He had done every thing in his power to excite a competition among the monied men, but without effect; for it had so happened that he had not received two offers on the occasion. Circumstances, by no means connected with the political situation of the country, had produced embarrassments in some commercial houses, which calling for an immediate supply from those that were connected with them, had actually occasioned a scarcity of cash, so that those who but for that might have been disposed to advance money to the Public, either had it not at command, or were obliged to employ it in another channel. The advantages to the subscribers with whom he had been obliged to close, after having in vain endeavoured to procure offers from others, were very considerable and obvious: the difference between the actual price of the 3 per cents. and that at which they were to receive stock in that fund, was between 4 and 5 per cent. to this must be added the circumstance that the loan would bear interest from the 5th of January last; this would make the *bonus* to the subscribers full 6 per cent. but it did not stop there: for it was usual for the Treasury to allow a discount of 2 per cent. for prompt payment, the subscribers by their agreement to pay only by instalments, so that the premium would amount at least to eight per cent. in the whole loan. This he allowed was a very high premium; but he could safely declare, that he had omitted nothing on his part that might have afforded him the means of making a better bargain for the Public. He had fixed in his own mind a certain price for the new 3 per cents. for less than which he had resolved not to sell them:

this he did not communicate to any person whatever, but kept it entirely to himself: it so happened that only one offer was made to him, and it did not exceed the price which, as he said before, he had fixed in his mind: under the circumstances of the case, no competition existing, nor second offer made, he thought it his duty to close with the only set of gentlemen who had waited upon him to negotiate the loan. At the time when he opened the budget, it was his intention to have admitted the Commissioners of the Sinking Fund to subscribe their 1,650,000*l.* more to make up the whole loan: and what made him wish so to do, was an idea that he should be able to procure the latter sum on easier terms. But he soon abandoned that intention, when he found that he could not have saved above one per cent. in the premium to be given for it; and such reasons were adduced on the occasion, as to satisfy his mind that the advantage which would have accrued from the saving of 1 per cent. upon 2,850,000*l.* or from admitting the Commissioners of the Sinking, or in other words, the Public Fund, to a participation of the premium, would not have counterbalanced the national inconvenience, and even loss, which would have attended the measure. The reasons to which he alluded were these: first, the purchases daily made by the commissioners, served to keep up the price of stock; and of that the Public would reap the advantage, should the exigency of the state require future loans during the present war. The next, and most powerful in his judgment, was, that were the Commissioners allowed to subscribe to a new loan, the 1,650,000*l.* annual surplus would be thereby diverted from its destined object, the purchase of stock; and consequently the period when 25,000,000 of the national debt should be paid off, and when, of course, the Public should be at liberty to redeem the 5 per cents., would be delayed, an event which would cost the nation as much as might be gained by the savings arising from the reduction of the interest in the five per cents. to 4, three one half, or 3 per cents. For all those considerations, he had judged it best to close with the terms offered by the subscribers, and which he was then going to submit to the judgement of the Committee. Before he made his motion, he informed the Com-

mittee that he intended, should the agreement for the loan be ratified, to move for the continuance of the temporary taxes, which having been imposed for defraying the expences of the Spanish armament, would, if not continued, soon expire : they produced annually 287,000*l.* ; so that after providing for the interest and other expences of the loan, there would be a surplus of more than 370,000*l.* a year. Having stated this, the Chancellor of the Exchequer concluded by moving the following resolution :

“ That the sum of 4,500,000*l.* be raised by annuities, and  
“ that for every 72*l.* contributed and paid, the lenders should  
“ be entitled to 100*l.* three per cent. stock, bearing interest  
“ from the 5th of January last, &c.”

Mr. FOX observed that the right honourable gentleman had stated the objections to his own loan in so very fair and open a manner, that he, in a great measure, disarmed those who might be inclined to oppose it, because they could not in more forcible language urge what might be objected to this very extraordinary measure. It was rather singular, that because one set of gentlemen refused to advance money except on terms highly disadvantageous to the Public, those terms must be necessarily and immediately accepted. He believed that had it been publicly known that a premium of 8 per cent. would have been given for money by the Public, offers of loans would have poured in from many quarters. What the right honourable gentleman had said to colour the terms to which he had acceded, would, he believed, be found not to apply : he had said, that circumstances not connected with the political situation of the country had produced embarrassments in the commercial world, and occasioned a scarcity of money : but he believed it would be found that the failures and scarcity of money, to which the right honourable gentleman had alluded, and the political state of the country, stood towards each other in the relation of cause and effect ; and that the former had been most certainly occasioned by the latter. If that was the cause, it was but too probable that future loans would be made in still more disadvantageous terms, as the war, should it continue any time, could scarcely fail to produce additional failures, and consequently a continuance, if not an increase, of the present scarcity of money. He condemned in very strong

terms the right honourable gentleman's plans for giving the whole loan to the present subscribers, to the exclusion of the Commissioners of the Sinking Fund. Had the latter been allowed to subscribe, the Public would have saved seven per cent. on 1,650,000*l.* and also one per cent. on the remaining 2,850,000*l.* objects of considerable moment. He was of opinion that the reasons for excluding the Commissioners were weak; for the stocks ought to be left to themselves, and they would always find their own level; and he would contend that an able Financier acting for the public ought not to speculate upon the probable rise or fall of the funds, but ought to avail himself of any present advantage, without waiting for a possibly greater one at a future day. Had the right honourable gentleman pursued this mode when the 3 per cents. were at 97, he might have paid off the 4 per cents. and gained an annuity of 300,000*l.* for the Public; by waiting till the threes should be at par, he had lost that great and certain advantage. The present terms were such as he believed were never made in the first year of a war, and the only question was, whether the Committee ought to agree to them, such as they were, or submit to the possible disadvantage of endeavouring to get better. Being of opinion that to obtain better terms was worth trying, he should vote against the resolution.

Mr. Chancellor PITT said, he trusted the Committee was convinced he had done every thing in his power to excite a competition among the monied men, and so to make the best bargain in his power for the Public. He allowed that on this occasion he had not succeeded to his wish, and that the premium given for the present loan was very high indeed, but, at the same time he must say that it was much lower than had been given in 1783 by the right honourable gentleman's colleagues in office, for on that occasion it amounted not merely to 8 but to 11 per cent. He could also say in favour of it, that the interest upon it was near one per cent. lower than that which was given for money at the commencement of the war in 1778. To this he should add that he had given the whole loan to the subscribers, leaving it to them to distribute it as they should please, and had not reserved a single shilling of it for himself or any of his friends.

Mr. FOX replied that the loan in 1783, in which he had been concerned, as he was at that period in office, had never been represented by him as an advantageous one to the Public; on the contrary, he had always stated it to be a very dear bargain, and to be justified only by the circumstances of the country at the close of a calamitous war. With respect to the other observation, that the present loan bore one per cent. less interest than that which was made at the commencement of the last war, the right honourable gentleman was very much out of his reckoning if he called the year 1778 the first year of that war; it was indeed the first of the French war; but it was the fourth of a very expensive and very ruinous war with America, which had greatly distressed the public funds, and affected the public credit.

Mr. S. THORNTON did the Chancellor of the Exchequer the justice to declare, that to his knowledge he had laboured, though in vain, to produce a competition among the monied men. Perhaps one cause of his failure might have arisen from that act of Parliament, whether a wise or unwise one it was not for him to say, by which Members of Parliament were prevented from becoming contractors with Government.— This act was of course a bar to any offer from the very wealthy merchants and bankers who had seats in that House; and consequently it so far operated against a competition. He was decidedly of opinion that the Chancellor of the Exchequer had procured the very best terms in his power; and that if the Committee should refuse to ratify the agreement, he could not be able to make another on terms advantageous. He was also of opinion, that it did not become the dignity or character of Parliament to break through an agreement, merely because certain unforeseen and favourable events had occurred since it was made; he presumed that Parliament would not be very forward to release the subscribers from their contract, if those events had been of a contrary complexion, and such as would have made the bargain less advantageous to the gentlemen who had advanced the money.

Mr. DRAKE pronounced a high panegyric on the Chancellor of the Exchequer; but still he said he would never place a blind confidence in him, or support him against the dictates of reason and truth. He considered the loan as extremely im-

provident, and too disadvantageous to the Public to be ratified by Parliament: he was convinced that the loan might have been procured on much better terms than those on which the right honourable gentleman had negociated it; he was morally certain, that instead of 72l. he might have procured 75l. at least for the 3 per cent. stock to be created; and when the subscribers refused to give more than 72l. the Chancellor of the Exchequer ought, in his opinion, to have said, "Gentlemen, "I am your most obedient humble servant, I cannot treat "with you on those terms." He was sure the right honourable gentleman must have been overreached, or he never would have consented to them.

Sir JOHN SINCLAIR was of opinion that the right honourable gentleman ought to have consulted the Commissioners of the Sinking Fund before he had made a loan from which they were excluded.

Mr. Chancellor PITT replied, that as Chancellor of the Exchequer, he was not bound to ask them whether they ought or ought not to be admitted to subscribe to the loan; it was his duty to act for the Public to the best of his abilities and judgment, and that duty he trusted he had faithfully discharged. At the same time he assured the honourable Baronet that he had conversed on the subject with the Commissioners.

Mr. SHERIDAN said, that one of the principal causes of the difficulty which the Minister had experienced in negotiating the loan, arose from the vast quantity of unfunded debt which was floating in the market: had he funded this debt, he would have found in new Exchequer bills a resource that would have secured him from the consequences of being at the mercy of money lenders. Lord North, by having, during the period of his administration, which preceded the American war, reduced the unfunded debt to a moderate size, was by that very measure enabled to raise money on terms much more favourable than if he had suffered the market to be overstocked with floating navy and Exchequer bills.

Mr. Chancellor PITT defended the principle on which he acted, when he declined funding the Exchequer and navy bills, to which the honourable gentleman referred; in time of peace, in particular, these bills might circulate without any inconvenience to the Public; and they bore at all times a much lower

interest than must have been raised upon the Public, had they been funded.

Mr. DRAKE said, he wished on the one hand to get rid of the bargain made by the Chancellor of the Exchequer, and on the other, to attain that end by the gentlest means; this he thought might be effected by putting off to a distant day the farther consideration of the business; he therefore moved that the Chairman should leave the chair, and report progress.

Mr. Chancellor PITT opposed the motion: he said he had no manner of personal interest in the bargain that had been made; it was for the Committee to judge whether it was such as ought to be ratified: but though he was unconcerned for himself in this question, he was deeply interested in it for the Public. The decision upon the loan could not be delayed without great injury to the Public; and therefore the Committee ought to come to a direct determination at once, and immediately either confirm or rescind the agreement which he had made.

Mr. DRAKE said, he was convinced that a motion for delay was improper; he therefore begged leave to withdraw the one which he had made: at the same time he declared, that to the resolution moved by the Chancellor of the Exchequer, he would give the loudest No his lungs could bring forth.

The Committee at last divided on Mr. Pitt's motion, which was carried by a majority of 53.

Ayes, 74; Noes, 21.

Mr. Chancellor PITT then moved various other resolutions for continuing the different taxes to which he had referred in his opening.

Upon these there was no debate; and the House having been resumed, adjourned immediately.

*Wednesday, 27th March.*

The report of the Committee of Ways and Means of yesterday on the loan, was brought up.

The resolutions being read,

Mr. DRAKE jun. expressed, in the strongest terms, his disapprobation of the terms of the loan.

Mr. Secretary DUNDAS postponed the discussion of the affairs of the East-India Company to Monday se'nnight.

Mr. GREY gave notice, that he should, on Monday the 6th of May, bring forward a motion for a Parliamentary Reform.

Mr. Chancellor PITT moved, that the House do, at its rising, adjourn to Thursday next.

This produced a short conversation.

Mr. SHERIDAN observed, that it had been generally understood that private business would occupy the attention of the House until after five o'clock, and therefore he did not attend until that hour, but he heard with some surprise, that the resolutions of the Committee of yesterday had been read and agreed to, in the midst of private business; this, he said, was unfair and uncandid, and he had no doubt but that many gentlemen would have observations to make upon the report. Mr. Sheridan maintained that the Commissioners of the Fund for the Reduction of the National Debt ought to have been consulted upon the plan of the loan, and that they might, if they thought fit, advance for that loan the sum which was to have been applied to the reduction of the debt, as mentioned by the right honourable gentleman on the opening of the budget. [Here Mr. Sheridan recited part of the act by which the Fund for the Reduction of the National Debt was created.] His object, he said, was to know what communication, if any, the Chancellor of the Exchequer had with the Commissioners upon the subject of this loan, previous to his concluding the bargain with the subscribers. Mr. Sheridan then moved, "That there be laid before the House the communication between the Chancellor of the Exchequer and the Commissioners for the Reduction of the National Debt, and the reasons assigned by them for not having demanded the right of subscribing to the present loan."

Mr. Chancellor PITT opposed the motion, and said, that the nature and spirit of the act of Parliament, by which the power of the Commissioners was created, did not warrant the construction put upon it by the honourable gentleman.

Mr. GREY complained also of the unfairness with which the report of the Committee upon the loan had been passed through the House in the middle of private business, when no gentleman thought of attending. He thought it extremely improper, that public business should be disposed of in this man-



ner. He came down to the House at four o'clock, and was assured that public business would not come on for a considerable time, for that there was a commission for giving the Royal assent to several bills; in consequence of this he went up stairs; and in the interval the report of the Committee was brought up, read, and agreed to: the Public would form their opinion upon this matter.

Mr. Chancellor PITT disclaimed all ideas of wishing to pass any measure of importance through the House unfairly, or by surprise; and as to the public opinion upon this subject, he said, he was perfectly contented it should be impartially formed; but he believed this debate was brought on for a very different purpose.

A short conversation took place between Mr. Fox, Mr. Ryder, and the Chancellor of the Exchequer.

The SPEAKER informed the House, that private business was proceeded on until within twenty-five minutes of five o'clock, and that then the report of the Committee on the loan was brought up, read, and agreed to; after which the gentleman Usher of the Black Rod came to announce the commission for the Royal assent. There was more private business to be gone through. It was then understood that in future the Chair shall be taken at three before the Easter recess, and half after three after Easter, and private business should be over at half after four. Mr. Sheridan's motion was then put and negatived.

The House then resolved itself into a Committee of the whole House on the bill for the more effectually preventing, during the war, all traitorous correspondence with the King's enemies. On the first clause, which enacts, that from the 20th of April next, during the continuance of the present war between Great Britain and France, if any person residing in Great Britain, knowingly and wilfully, shall, on his own account, or credit, or on the account or credit, or by the direction of any other person or persons whomsoever, or wheresoever resident, sell, supply, or deliver, or send for the purpose of being sold, supplied, or delivered, or shall agree to sell, or deliver, &c. shall be guilty. It was proposed to leave out the words—"shall agree to sell, or deliver."

The question being put by Sir Elijah Impey, the Chairman

of the Committee, strangers were, as usual, ordered to withdraw.

In the interval a number of gentlemen who had not been in the House when the question was put, entered, and seated themselves on the ministerial side.

Mr. SHERIDAN insisted, that as they were not present when the question was put, they were not intitled to vote.

Mr. DUNDAS contended, that the question having been put before the gallery was cleared, it ought to be put again.

This brought on a long conversation on the point of order, which the Speaker at last decided in favour of Mr. Sheridan, laying it down as the old established rule, that the question might be put either before the gallery was cleared or after, and that being once put, those who were not in the body of the House at the time, could not be permitted to vote.

The gentlemen who came in after the question was put, were ordered to withdraw, and the Committee divided,

For leaving out the words, 27; Against it, 51.

In the dispute on the point of order, the Chancellor of the Exchequer moved that the gallery doors be kept shut during the rest of the debate. They were kept shut accordingly; and the first clause of the bill was very warmly debated on almost every point.

In the Committee, after the strangers had withdrawn, two amendments took place.

Mr. WILBERFORCE proposed to except cloth from the articles enumerated in the first clause. The Chancellor of the Exchequer objected, that as the French troops were suffering very much for want of clothes, no one article could it be of more importance to prevent their being supplied with than cloth. Mr. Wilberforce replied that the manufacturers of Yorkshire had prepared great quantities of coarse cloth in consequence of the demand from France, which, without the amendment he proposed, must lie upon their hands, as it was fit only for the French market. The amendment was adopted.

Mr. R. SMITH, on behalf of his constituents at Nottingham, pleaded for stockings, for which purpose also an amendment was made.

Mr. SHERIDAN observed, that as the Chancellor of the Exchequer had been so generous as to allow the French coats

to their backs and stockings to their legs, he might as well let them have a few boots and shoes from his constituents at Stafford, and moved an amendment to that effect; but the amendment was rejected.

About ten o'clock, a second division took place on an amendment moved by Mr. Sheridan, to secure the interest of the foreign proprietors in the British funds,

Ayes, 34; Noes, 113.

Mr. FOX then went over the objections to the whole clause, and the reigning contempt of the British Constitution, which pervaded every part of it. He observed that the extraordinary powers which it granted to Ministers were only a sequel of those granted by the alien bill—powers arbitrary and despotic, because without responsibility—powers which no good man would ask for, or accept if offered to him. He animadverted on the manner in which the powers granted by the alien bill had been exercised, to the distress, perhaps the ruin of individuals, without an opportunity of answering the charges alledged against them, or being confronted with their accusers, while other persons, more dangerous, remained unmolested, because private malice was not so active against them; or were suffered to remain in the country from having means of repelling the allegations to their disadvantage. He lamented the daily invasions of the Constitution by such bills, which, if worth fighting for against foreign enemies, was surely worth defending in Parliament; and ridiculed the exclusion of strangers, as a vain attempt to prevent the discussion of such a measure from being as earnestly attended to as that of any other.

Mr. W. GRANT answered, and Mr. FOX replied.

Went through the first clause of the bill and adjourned.

*Thursday, 4th April.*

Mr. COURTENAY gave notice, that he would take an early opportunity of bringing forward a motion relative to the situation of certain unfortunate persons who had been confined in gaol at Nottingham for no less than nine years, on account of falling under the censure of an Ecclesiastical Court.

The order of the day being read for going into a Committee of the whole House, to consider farther of the traitorous corre-

spondence bill, the Speaker left the chair, and Mr. Hobart took his seat at the table.

The CHAIRMAN (after mentioning that the first clause had been already gone through in the Committee) proceeded to read the second clause of the bill; and having finished that part of the clause which prohibits, under the pain of treason, the purchase, &c. of lands in France,

The SOLICITOR GENERAL said, that he meant to propose an amendment to the clause, for the purpose of limiting its prohibitions solely to the purchasing or agreeing to purchase lands in the dominions of France, by omitting altogether the other prohibitions contained in the clause as to the purchase of assignats, &c.

Mr. ADAM stated, that as by the proposed amendment, the clause would be rendered perfectly nugatory, he would rather hope that the honourable and learned gentleman (the Solicitor General) would agree to amend it, as he had done some other clauses, by a total omission of it: but, if it was meant to be persisted in, even under the limitation which had been proposed, he must beg leave to submit to the Committee, that there were certain classes of persons who would be put, by it, into a situation of very peculiar and unjust hardship; he meant persons who, with the most honest intentions towards this country, may have purchased into the French funds prior to any rupture, or prospect of rupture betwixt the two countries, and also such persons as, by marriage or inheritance, may have acquired property in these funds: persons so possessed of property in the funds of France would be obliged, in consequence of existing regulations there, to commute the same for land; whereby the effect of the present bill would be to subject innocent individuals either to the total loss of their property, or to the incurring the pains of treason.

Major MAITLAND observed, that under the operation of the Alien bill, it could not be supposed that any Frenchman, who was not truly meritorious, would be allowed to remain in this country, and that it would be cruel and unjust in the extreme, to prohibit a Frenchman of this description, resident in Great Britain, and who may have funds in France, from laying them out in the purchase of land there, perhaps in re-purchasing his own property.

Mr. FOX said, that every part of the present bill appeared to him so pregnant with mischief and absurdity, that he could hardly object to the omission of any part of it; he could not however help observing that, when it was recollected what had been the pretence held out as to the necessity of prohibiting the purchase of lands in France, viz. the preventing the Government of France from procuring money by the sale of lands for the purpose of enabling them to carry on the war—it was truly a most curious and extraordinary circumstance, that a proposition should come from the honourable and learned gentleman on the other side of the House, to allow the most direct, speedy and efficient supply to be given to the French Government by purchasing in the French funds, or subscribing to a loan, and to limit the prohibition solely to the purchase of land, which must be admitted to be a much more circuitous mode of affording them such supply.

The SOLICITOR GENERAL said, that he had by no means been induced to give up the other prohibitions from any idea that the principle of the bill did not apply to them, but from finding that various difficulties occurred as to the execution of them.

A good deal of farther conversation took place, after which the amendment, as to leaving out all the prohibitions in the clause, except what related to the purchase, &c. of lands in France, was agreed to: afterwards, on a subsequent part of the clause, which enacts that, “if any person, being a subject of His Majesty, and out of His Majesty’s dominions, shall in any such manner as aforesaid, make, &c. any such buying, &c. and shall afterwards voluntarily return or come to Great Britain, every such person so returning or coming to Great Britain, being thereof convicted or attainted by due course of law, shall be deemed and adjudged to be guilty of high treason, &c.”

Mr. FOX argued, in very forcible terms, that the clause, as it stood, involved the grossest injustice and absurdity with respect to His Majesty’s subjects of Ireland; for if an Irishman in Ireland, were to treat for the purchase of lands in France, he would do so with perfect innocence, and would be liable to no punishment on coming into Britain; but were he to go abroad out of the King’s dominions, for instance to Ham-

burgh, in order to conclude the transaction previously settled and agreed upon, and should afterwards come into Britain, the penalties of treason would instantly attach upon him:—Where guilt was previously incurred, the coming into this country might bring the guilty person within reach of punishment; but that an action, innocent or indifferent when committed, should change its nature, and become subject to punishment from the mere change of place, was in direct opposition to every principle both of reason and of criminal law.

Mr. Chancellor PITT said a few words in vindication of that part of the clause which had been just objected to, and said that it appeared to him to be just in its principle, and expressed with sufficient precision.

Mr. FRANCIS objected, in strong terms, to this part of the clause; which, after some farther conversation, was agreed to.

A conversation afterwards took place between the Solicitor General, Mr. Burke, Mr. Anstruther and Mr. Jenkinson, on the one side; and Mr. Fox, Mr. Sheridan, Mr. Adam, Mr. Grey, Major Maitland and Mr. Francis, on the other, as to the propriety of extending the pains of treason to a breach of the prohibitions contained in this clause, &c.

The question being then put, that the clause, as amended, should stand part of the bill,

Mr. FOX said, he felt himself called upon to give his negative to the clause; for nothing appeared to him more mischievous, than to confound the moral sense, by inflicting severe punishments on the more innocent and inoffensive acts; while those which were in a greater degree hurtful and dangerous, were entirely passed over: As the clause was now limited, he was convinced it could be persisted in for no other reason, than that gentlemen on the other side of the House having been obliged to abandon the most offensive parts of the bill, thought it rather too much to give up the whole.

Major MAITLAND also opposed the clause, which, he said, was only leaving the shadow, when the substance was given up.

Mr. SHERIDAN entirely agreed with his honourable friends. He thought the clause, as now amended, so perfectly nugatory, that it would be much like prohibiting a gar-

dener to lay out a garden, and make hotbeds, &c. in Lapland. In fact, the present bill, as it now stood, instead of bearing its present title, ought to be called a bill to authorise British subjects to clothe the French army with woollen cloth, and to prohibit their selling them a pair of boots, under the pains of treason.

The Committee divided,

Ayes, in favour of the clause,	-	77
Noes	- - -	19
		—
Majority		58

On the third clause, which prohibits any subject of His Majesty from voluntarily going or repairing, or embarking in any vessel with an intent to go or repair from any place in Great Britain into France, &c. without licence from His Majesty under his sign manual, or by order in Council or Proclamation first had and obtained; the following words were added, on the motion of Mr. Curwin, viz. “ Such licence being “ subject to no fee or charge whatsoever:” And, after some conversation betwixt Major Maitland, the Solicitor General, Mr. Anstruther, Mr. Grey, Mr. Whitbread, &c. as to allowing the licences to be limited to a particular time and place, the clause was agreed to without a division.

The clause which went to prohibit the return into this country of any of His Majesty's subjects without his leave, being read for the purpose of negating the clause,

Mr. WHITBREAD, jun. said, he thought the clause so detestable, that even in its death he could not help taking notice of its character; he could not allow it the benefit of the old charitable sentence, *de mortuis nil nisi bonum*; on the contrary, he should apply to it the lines written on a tombstone in Westminster Abbey,

“ Lie still if you are wise,  
“ You'll be damn'd if you rise.”

But this was not all; he had a question to ask the Solicitor General, and it arose out of this clause, although it was to be negated. The reasons assigned by the gentlemen who brought in this bill for negating this clause, made his question necessary. They had insinuated that the clause was not strictly ne-

cessary to the purpose which it tended to support, as His Majesty by proclamation could order what was necessary for the safety of the state. A proclamation had issued to that effect, forbidding, for a time, subjects of this country from returning into it, under certain restrictions. Mr. Whitbread wished to know of the Solicitor General, whether the King was empowered by law to issue any proclamation, forbidding the return into this country of any one of the subjects of it not convicted of a crime? Had the King of England the power, by law, to hinder the return of such a man to his native country? The question he thought necessary to be determined before the clause now before the Committee was negatived, because they should take care upon that negative not to give an oblique sanction to a principle of tyranny, much more dangerous even than the effect could be of passing the clause itself; he had heard that a proclamation to this effect had passed with regard to certain persons lately arrived from France at Dover, but he had not read it; he wished to know whether the Law Officer of the Crown would say that such a proclamation was warranted by the law of England?

The SOLICITOR GENERAL said, that with respect to the proclamation in question, the honourable gentleman was a little mistaken, as to its extent. With respect to the legal point to which the honourable gentleman had alluded, certainly His Majesty had a right to make a regulation upon the general policy of this country.

Mr. FOX reprobated these expressions, and proceeded to refute the principle which they appeared to him to support. He said that he had, ever since he thought upon the subject, wholly and entirely misunderstood the law—if the King had the power which the answer of the honourable and learned gentleman insinuated—if the King had the right of preventing any person from returning to this country, under the specious mask of regulating its general policy, he had in fact the power of expelling from his native land, for ever, any person he might think proper. He knew, in fact, the King had no such power, and therefore it was he rose to make these observations, and to defy any man in that House to prove that the King of England had by law a right to say to any subject, not convicted of an offence against the law—"You shall not return to Great Britain with-



"out a passport from me." If the King had ever, if the King should ever, issue a proclamation to that effect, he would say, and maintain, without the least fear of the colour of refutation by argument, that such a proclamation was, and would be, irregular, illegal, and highly unconstitutional. He believed, that if the transaction alluded to, and which happened at Dover, should ever be fairly canvassed, it would be found to be a shameful violation of the law of this country, and a revival of the principle of the clause which had just been read, a principle which would, to a certain degree, attach shame, scandal, and disgrace on that House for having once given to it the colour of a sanction, by giving leave to bring in a bill which contained a clause to favour it. The King had a right to regulate points of general policy in this country.—Had he indeed! Had he a right to say to an Englishman, "You shall not return to England without my passport?" If he had, then it was high time to examine into the expediency of suffering such a prerogative to continue—high time to inquire whether some means could not be devised to limit the extent, and regulate the exercise, of that prerogative. But, said Mr. Fox, I am sure he has not, and never will have, unless this House shall scandalously neglect its duty; but I wish the Solicitor General would have the goodness to explain what he meant by those ambiguous words which he gave in answer to so very plain a question, and that he would not leave us under so just a terror for the fate of the constitution of our country.

Mr. Chancellor PITT said, it did not appear to him that the subject now before the Committee warranted the attack which the right honourable gentleman had made upon the proclamation to which he had alluded. The question before the Committee now was, whether the clause they had just heard read should be agreed to or negatived? upon which there was no difference of opinion, and upon which, therefore, in point of regularity, there ought to have been no debate. As to the subject of the proclamation, as it was not before the House, he could not see how that could be regularly debated, and therefore he should advise the Committee to dismiss, for the present, all attention to that subject. Here he entered into a recital of the proclamation. He then observed, that the proclamation appeared in the Gazette, but that the gentlemen who

had been pleased to treat it as an illegal, irregular, and highly unconstitutional measure, had themselves not read it ; a pretty tolerable proof that their censure of it was, at least, a little premature. He hoped, however, that they would read it, and that if they were serious in the objections which they started against it, before they were acquainted with its contents, they would shew their sincerity in moving for it to be laid before the House, and chuse a day for the discussion of it. He then justified the answer of the Solicitor General, at which the right honourable gentleman had discovered so much indignation, and concluded with explaining again the nature of the proclamation.

Mr. FOX again maintained that the words of the Solicitor General tended in effect to convey to the House the most odious and detestable principle, and such as he was sure did not belong to the constitution of this country. He would say they were material words, for the words of any high law authority in that House were always important, and would be dangerous, if not refuted when they were wrong, because they would form, as it were, a sort of precedent by acquiescence ; they were words at which he was justly alarmed, when he compared them with the plain question to which they were an answer. I say, said Mr. Fox, I am justly alarmed when I hear such sentiments from such a quarter, for it is not his own opinion merely that the honourable gentleman is speaking. I say that I am justly alarmed for the liberties of my country, when such exploded doctrines upon the King's prerogatives are attempted to be revived ; doctrines, to explode which, the best treasure of this country was expended, and the purest blood shed. He said, he was sure that the observation of the learned gentleman upon the King's prerogative was worse than the clause which he gave up—a clause which he would have had gone out of that House with the stigma that belonged to it ; but the clause was to be superseded by doctrines worse than its contents. At these attempts it was high time to be alarmed.

After a few words from Mr. Pitt, Mr. Fox, and Mr. Whitbread, this clause was negatived.

The Committee proceeded through other clauses in this bill, adopting many alterations, until they came to the last, upon which, on the suggestion of Mr. Adam, and the motion of Mr.

Fox, the Chairman reported progress, asked leave to sit again, and the House ordered a farther Committee upon this bill to-morrow. Adjourned.

*Friday, 5th April.*

A House was formed at four o'clock, and some private business was gone through; but about half after four, Mr. Cawthorne made a motion upon a private bill, which occasioned a division, and, on counting the numbers, there appeared only twenty-seven Members in the House. An adjournment took place of course.

*Saturday, 6th April.*

The SOLICITOR GENERAL moved the order of the day for the House to resolve itself into a Committee to consider farther on the traitorous correspondence bill.

Mr. FOX wished to know whether, after the news arrived this morning, it would be deemed prudent to proceed farther in this bill to-day, as perhaps the whole might be unnecessary.

The SOLICITOR GENERAL said, he understood that the bill was to be proceeded in this day, and that there was a general understanding to that effect, and therefore he hoped that there would be no farther delay.

Mr. ADAM said, that there was not any general understanding that this subject was to be brought forward this day. He was of opinion that as this bill was stated by its supporters to be founded only on state necessity, he therefore thought that from the general importance of the subject, the nature of the question, and the situation of affairs upon the continent, there would not appear to the House any reason for extraordinary dispatch in the present bill.

Mr. FOX said, that the news which had arrived this morning, and generally believed, would, if true, render the whole bill unnecessary, and therefore he thought it unnecessary to proceed upon it now. The expression "Persons who exercise the Government of France," which, by the way, almost pervaded the whole bill, would be nugatory if the last accounts were true, and therefore he saw no reason for pursuing this bill in haste; and that would certainly be the case if they proceeded on it on Saturday; he therefore moved that instead

of now, the House should resolve itself into a Committee on Monday next.

Mr. Chancellor PITT reminded the House that the question did not involve any consideration relative to the Government of France, but the mode of proceeding on the bill in agitation. There was no precise knowledge of events upon the Continent, for any information as to the extent of them, that ought to induce the House to abate in diligence on the present subject. If the bill now before the House should be found from circumstances to be unnecessary, it might be stopped in any of its future stages; these were points to be discussed hereafter, but not to be discussed now.

After a few words from Mr. Whitbread and Mr. Adam, the amendment of Mr. Fox was put and negatived.

The House then went into a Committee on the bill, and after some conversation between Mr. Adam, Sir Adam Ferguson and the Solicitor General, several amendments were made in the last clause. The whole bill then passed the Committee; and the House being resumed, the report was ordered to be received on Monday. Adjourned.

*Monday, 8th April.*

Mr. SMITH presented a petition on behalf of the inhabitants of the town of Nottingham, complaining in strong language of the ruin of trade and other dreadful effects of the present war, and praying that means might be taken to put an end to it as speedily as possible, &c.—Ordered to be laid upon the table.

The report of the bill for preventing traitorous correspondence with France was brought up by Mr. Hobart, and the amendments made in the Committee were read. When the clause was read, which fixed the 20th instant as the period on which the operation of the bill was to commence,

Mr. ADAM observed that the 20th was by much too early a day; and he trusted the House would be of the same opinion, when it considered that this was the 8th day of the month; that the third reading could not take place till the 9th or 10th, and that probably the bill could not be carried up to the House of Lords before the 11th; that it was very likely their Lordships would not go through it without much serious delibera-

tion; and that very possibly the 20th of April would be past before the bill could receive the Royal assent, and consequently before the Public, in distant parts of the country, could be apprized of its having received it. It was therefore his intention to move for a more distant day than the 20th, unless the learned framer of the bill would save him the trouble, by proposing of his own accord a later period.

The SOLICITOR GENERAL said, it was his intention to move an amendment, which he hoped would meet the wishes of the learned Member, by proposing that the bill should begin to operate at different periods, in different parts of the world, proportioned to their distance from Great Britain. The periods stated were the 20th of April for Great Britain, 20th of May for Europe and all places on this side of the Cape of Good Hope, and the 20th of July for all parts of the world beyond the Cape.

The amendment was moved, and carried without a division.

When the clause was read, which gives power to the Crown to bring on the trial of persons accused of treason under this act, in the county of Middlesex, though it should have been committed in any other county,

Mr. ADAM very strongly opposed it, as extremely oppressive to the accused, and subversive of a general principle of law. He observed, that by the common law, a man ought to be tried by a jury of the vicinage, and for this very good reason, that jurors taken from the neighbourhood must be supposed to be best acquainted with the characters of the accused, and of the witnesses. But by the present clause a man might be brought from Cornwall or Cumberland to be tried by a Middlesex Jury, wholly unacquainted with the parties concerned; and be put to the expence of bringing witnesses from those distant parts to Westminster, when the ends of justice as to the Public might be as well answered, and as to the individual much better by a Jury of the county in which the treasonable act was said to have been committed. He knew the Attorney General could at any time, by his bare prerogative, and without the aid of an act of Parliament, insist upon a trial at bar, and thus bring the accused before the Court of King's Bench at Westminster, from any part of the kingdom; but this was a prerogative which an Attorney General would not be very

ready to exercise, as his own personal character must answer for whatever should be deemed by the Public an act of hardship and stretch of power against an individual; but if a special act of Parliament absolutely authorized such a measure, the responsibility of the Attorney General's character would be out of the question, and many an individual might be exposed to hardships very nearly allied to oppression. A trial at bar, which of course would bring the parties concerned from their own counties to Westminster, was, in criminal matters, very much discountenanced by the Judges. Two applications for such a trial were made, one in the time of Lord Mansfield, the other in that of Lord Kenyon; the parties who were to be tried were persons who had attempted to break out of the King's-bench Prison: and though the question was only whether they should be tried on the Surry or the Middlesex side of the river Thames, yet the Court on both occasions refused to grant a trial at bar, and was influenced on these two occasions by the principle which he had already laid down. It might therefore be well presumed, that had the distance between Surry, from which the witnesses were to be brought, and Middlesex, which was to furnish the Jury, been greater, the opposition of the Court to a motion for a trial at bar would not have been less determined. Here he observed that the motion for such trial was made in the name of the accused; and yet the Court would not grant it; it was fair also to infer from this, that if the Court could overrule the prerogative of the Attorney General, which it could not, it would be as little inclined to allow a trial at bar at the desire of the public prosecutor, as at the prayer of the parties accused; a principle of law ought not to be sacrificed to either. Mr. Adam concluded by moving, that in the clause which gave the Crown the power of bringing the accused, under this act, to trial in the county where the treason was alledged to have been committed, or in the county of Middlesex, the words, "or in the county of Middlesex," should be omitted.

The SOLICITOR GENERAL convinced Mr. Adam, that in the clause in question the words to which the motion referred could not be omitted without destroying even the meaning of the clause. The motion was therefore withdrawn.

The House having gone through all the amendments made in the bill by the Committee,

Mr. ADAM said, he would then propose a clause, of which he had given notice on a former day. By the law of high treason in general, every person accused of treason is entitled to be heard by Counsel on questions of fact as well as of law; to have a copy of the indictment, and a list of the witnesses ten days before trial; by the same law no person accused can be convicted unless the overt act of treason be proved by two witnesses. But Parliament having made the counterfeiting of the King's coin, the Great Seal, &c. high treason, had made a distinction between treasons of that description, and treasons against the King's life, or making war upon him, or adhering to his enemies: for a person accused of counterfeiting the coin, for instance, though charged with high treason, is not entitled to a copy of the indictment or to a list of the witnesses, nor is it necessary that the fact should be proved by two witnesses, nor is Counsel allowed to speak in behalf of the prisoner, except a question of law should arise. The ground for this distinction, Mr. Adam said, was, that the latter kind of treasons did not work a corruption of blood, or a forfeiture of the estate, of the party convicted; and as the punishment was the less severe, so the aids allowed to the accused for making his defence were also less. Mr. Adam laboured to shew that the distinction did not apply to the acts which were to be made treason by the present bill; for they were such as might be considered as coming within that branch of the statute of the 25th of Edward III. relative to "adhering to the King's enemies," and consequently a person brought to trial upon the present bill, was, in point of reason, intitled to all the aids which were allowed by law to persons making their defence against a charge of high treason. But these aids, it seemed, were to be denied under the present bill, for this reason, that it was not to work corruption of blood, or forfeiture of estate; but the reason did not appear to him to be a sound one, for the House must know, that by the 7th of Queen Anne it was enacted, that corruption of blood and forfeiture of estate should no longer be the consequence of a conviction of high treason, after the death of the then Pretender to the Crown. By the 17th of George II. the period when corruption of blood and forfeiture should no longer

attach upon treason, was removed to a more distant time, and was to take place at the death of the two sons of that Pretender. One of these, it was well known, had died a few years ago; the other, who was the Cardinal of York, was an aged person, and at his death, which could not, in the course of nature, be very distant, all corruption of blood and forfeiture for high treason were by law to cease in England. And yet, after that period, a person accused of high treason would be still intitled to all the aids which he had already mentioned; so that it could not be said that those aids were allowed by law, merely because the corruption and forfeiture of estate were consequences of a conviction on a charge of high treason.—Mr. Adam argued to shew that there was no analogy between the act of counterfeiting the King's coin, and, for instance, remitting money to France during the present war; it was true, he said, that after the passing of this bill, these two acts would in law amount to high treason, yet the latter alone could be said to partake of the nature of treason, as it argued an adhering to the King's enemies; and the former was allowed by all able law authorities to be rather a species of fraud, and what was called the *crimen falsi*, than high treason; and to have been called treason, only because it was an act in which the Public had a concern. As, therefore, these treasons differed widely in their nature, a distinction, he contended, might well be expected in the aids to be allowed to persons indicted, as to the means of their defence. On these grounds it was, that he moved for leave to bring up a clause, the object of which was to extend to persons who should be tried under this act, the indulgence allowed by the 7th of William III. and 7th of Queen Anne, to persons accused of high treason, under the 25th of Edward III.

The ATTORNEY GENERAL opposed the admission of the clause; he said it went to open a very wide discussion, indeed, namely, whether all those aids, which the learned gentleman had enumerated, as granted by law to persons accused of high treason, should also be allowed in cases of felony; for though counterfeiting the King's coin, for instance, was in name high treason, it was, as to its effects upon the blood and property of the convict, no more than felony. He said, he had not expected that, when the present bill reduced the pe-



nalty of high treason, with respect to persons offending against it, to that which was enacted merely against felons, a charge should be brought, that it subjected them to hardships, from which they ought to be relieved; if the proposed relief was proper in this case, he saw no reason why it ought not to be extended also to those who should hereafter be accused of felony.

Mr. FOX expressed his surprise that the learned gentleman should have confounded two things, which in their nature were widely different. A copy of the indictment, a list of the witnesses, and the aid of counsel in matters of fact as well as law, were allowed to persons accused of high treason, but not to persons accused of felony; the reason of the difference was obvious; prosecutions for felonies were usually brought by private individuals, who could not be supposed to have any extraordinary influence with either judges or juries; but prosecutions for high treason were always brought by the Crown; the aids, therefore, which the law allowed to persons accused of treason, were so many shields given to him to defend himself, and prevent him from being overborne by the weight or influence, or passions of the Chief Magistrate or his Ministers. These shields must, of course, on this principle, be as necessary in the prosecution on the present, as in one of the 25th of Edward III., as in both cases it would be carried only by the public accuser at the command of the Crown. It was allowed that at the death of the Cardinal of York, all treasons would be precisely on a level, as far as they affected the inheritable quality of the blood, and the property of the person convicted; what a miserable thing then must it be to say, that in a prosecution for an act done against the present bill, a man should be refused the copy of his indictment, and the other aids allowed by law in cases of high treason, merely because the aged Cardinal of York had not yet paid the debt of nature. He was glad, he said, that the penalty under this bill was not to be greater than that to which persons were subjected who were convicted of counterfeiting the great seal; but on the other hand, he feared that this seeming lenity was not what it appeared to be, the child of mercy; he apprehended that its object was to facilitate the conviction of the accused, by taking from him the means of defence, which he might claim as his

right, if the bill left the enumerated acts within the statute of the 25th of Edward III. These acts might be considered as proofs of an adherence to the King's enemies, and consequently came within the species of treason on which corruption of blood attached; but by classing them under the head of treasons which did not operate a corruption of blood, the framers of the bill had contrived to take from the accused the means of defence, under the appearance of lenity. Of all the characters of cruelty, he considered that as the most odious which assumed the garb of mercy: such was the case here; under the pretence of mercy to the accused, in not charging him with corruption of blood, he was to be deprived of the means of making his defence. That he might not stand a chance in the contest, his shield was to be taken from him. The list of the jury, to give him the benefit of the challenge—the list of witnesses, to enable him to detect conspiracies and to prevent perjury—the copy of the charge ten days before the trial, to enable him to prepare himself for the awful day—the assistance of a learned gentleman to speak for an unlearned man—all the arms and means of protection with which the humanity of the law of England had fortified an individual, when accused by the Crown, were to be taken away. Harshness and severity were to be substituted for tenderness and compassion; and then he was to be insulted by being told he was spared the corruption of blood. But really it seemed to him as if some gentlemen thought there ought to be a law for the facility of conviction of high treason; and if so, why did they not speak out boldly, and alter the preamble of the bill, and word it to this effect—"Whereas by allowing prisoners lists of evidence and  
 "juries, copies of indictments, and other means of defence,  
 "it has been difficult to convict them, be it therefore enacted,  
 "&c." He said, he should, on the third reading of the bill, have another opportunity of opposing its principle, a principle which would appear somewhat less tyrannical if the proposed clause was admitted; but which must be still more odious if it was rejected.

Mr. Chancellor PITT said, that harsh as was the epithet which the right honourable gentleman had bestowed upon the bill, in the last part of his speech, it would not make a very deep impression upon those who would recollect that the right  
 honourable

honourable gentleman had admitted that some of the acts enumerated in the bill might be said to come within that branch of high treason described by the 25th of Edward III. under the head of adhering to the King's enemies: the principle of the present bill went to punish such persons as should adhere to His Majesty's enemies; and therefore could not, on that head, be called tyrannical. The reason, he said, why a copy of the indictment was allowed in cases of high treason, and not in those of felony, was this, that without it the person accused of treason could not possibly know how to defend himself; for the warrant of commitment stated no more than that the party committed had imagined the King's death, or had adhered to his enemies, or had levied war upon him; it was in the indictment only that the overt act was set forth, which was adduced as a proof of the treasonable intention of the person accused: but in cases of felony, the specific act or crime was set forth in the warrant of commitment; and therefore the party had not the same occasion for a copy of the indictment. As to the aid of Counsel, it was not denied in prosecutions even for felony; for as often as a question of law arose, the prisoner was allowed to be heard upon it by his Counsel.—Were Counsel to be allowed to speak on matters of fact in trials of felony, and were copies of indictments granted ten days before trial, it would be absolutely impracticable to execute the criminal law of the country. With respect to the granting the accused a list of the witnesses, in all cases, it would be of little use to him, as a list of such a cloud of witnesses might be sent to him, as would render it impossible for him, with all the assiduity of his friends, to inquire into their characters in the space of ten days.

Mr. FOX in explanation said, that he was well aware that in cases of felony, the accused had a right to be heard by his Counsel on questions of law; but it was on such questions only that the advice of Counsel might be necessary; and therefore the right honourable gentleman had misunderstood him if he fancied he did not contend for the extension of the indulgence to every point which might enable a Counsel to defend his client with effect. As to what the right honourable gentleman had said about furnishing the accused with a list of a cloud of witnesses, he was absolutely astonished that a Minister of the

Crown should suggest even the possibility of a public accuser swelling the number of witnesses, for no other purpose than that of baffling the law, by putting it out of the power of the prisoner to avail himself of the advantage which it was the intention of the Legislature that he should enjoy in its fullest extent.

The House at last divided on Mr. Adam's motion for bringing up his clause, which was lost by a majority of 78.

Ayes 32; Noes 110.

It was then ordered that the bill, with its amendments, should be engrossed, and that it should be read a third time tomorrow, if it should be engrossed in time.

A petition was presented from some merchants or underwriters, praying that they might be heard by their Counsel against the clause of the bill which prohibited the insurance of ships and goods belonging to the French. In compliance with this prayer, the House ordered that they should be heard tomorrow, on the third reading of the bill.

Adjourned.

*Tuesday, 9th April.*

The order of the day being moved for, and the Traitorous Correspondence bill having been read a third time, before putting the question that the bill do pass, the petition presented to the House yesterday from certain American merchants or agents, praying liberty to be heard by counsel against certain enactments of the bill, was read, and Mr. Piggott was heard at the bar as counsel on behalf of the petitioners. After the counsel had been ordered to withdraw,

Mr. CURWIN rose to ask whether any thing had fallen from the Counsel which would induce gentlemen on the other side of the House to propose a clause for the purpose of remedying the inconveniencies complained of by the petitioners? To which no answer being given, he said he meant himself to propose such a clause, but that it would require some time to adjust a proper provision for that effect.

The ATTORNEY GENERAL observed, that there was no question before the House, and he would therefore move that the bill do pass.

Mr. FOX said, that it was a strange piece of farce and mockery to allow Counsel to be heard, and afterwards, in so extraordinary a manner, to press a motion for passing the bill, without allowing any time to prepare a proper clause for remedying the inconveniencies complained of by the petitioners, and to consider and debate whether or not such a clause ought to be admitted.

Mr. Chancellor PITT said, that none of the gentlemen on the opposite side had stated what was the nature of the clause which was intended to be proposed ; upon which

Mr. CURWIN mentioned that he had meant to propose, that grain, of the produce of America, sent to this country for orders, as to a proper market, should be allowed to be disposed of in France, and that subjects of this country should be permitted to insure American produce from thence to this country, and from hence to market.

The ATTORNEY GENERAL spoke of the terms farce and mockery which had been made use of by a right honourable gentleman (Mr. Fox), and asked whether the right honourable gentleman had any peculiar privilege to use expressions of such asperity? He had no doubt that the right honourable gentleman, as well as himself, acted from what he conceived to be the line of duty, and they were both in the judgement of that House, and of the Public.

Mr. FOX said, that he had unquestionably no privilege to use any words which might not with propriety be made use of by any other gentleman ; but it was a liberty which he had always taken, and would ever continue to take, to reprobate propositions which appeared to him improper, in such terms as appeared to him suited to the degree of impropriety attached to them.

Mr. VAUGHAN stated, that he had drawn up a clause for the purpose of obviating the inconveniencies complained of by the petitioners, and moved that it be added to the bill.

The SPEAKER said, that, before any debate could take place upon the clause, it was necessary that it should be engrossed.

Mr. Chancellor PITT said, that the object of the proposed clause was by no means a new subject of discussion in the present bill. The great object of the bill undoubtedly was to

prevent any persons resident in this country from sending any articles to France which may be useful to our enemies ; of all the prohibited articles, perhaps corn was the most material, and therefore the proposal now made would, in fact, go to do away the whole of the bill, in the most material part of it : he could see no good ground for the delay, and would therefore give his negative to it.

Mr. FOX thought the observance of forms essential, and that it would be derogatory to the dignity and justice of the House, first, to hear Counsel, and then to proceed to pass the bill without affording any opportunity of deliberating as to the propriety of acceding to the request of the petitioners. In order to give such opportunity, he would move that the House should adjourn. The right honourable gentleman (Mr. Pitt) had said, that the proposed clause would totally counteract the intended and avowed operation of the bill : he thought quite the reverse, and that there would be less probability of the French being supplied with American corn, if that corn were sent first here, than by its being sent directly from America to France, or in any other mode. If the right honourable gentleman was right in what he had just said, it ought to have operated against allowing Counsel to be heard ; but, after hearing Counsel, justice and consistency required that they should deliberate on the propriety of granting or refusing the request of the petition : in what view could the delay of one day be so material ? Could any body say that, in the present circumstances, so short a delay could be in any shape material ? Hitherto, in the progress of the present bill, much had been gained by the delays which had taken place ; every delay had been beneficial, because every delay had produced alterations highly salutary to the Public. For his part, he could only judge of the intentions of gentlemen from their actions ; and when he saw a short adjournment, in order to sit in Easter week, he could not help discovering, under such conduct, a wish that this bill should be carried through, with a thin attendance in the House, and that it should escape investigation as much as possible, at which indeed he was not surprised. He concluded with moving an adjournment, which, upon the question being put, was negatived without a division.

On the question that the bill do now pass,

Mr. CURWIN stated, that nothing had occurred, in the progress of the bill, which could induce him to alter the opinion he had at first formed, that its principles are contrary to the just and true principles both of criminal law and of sound policy: he could see no existing necessity for any extension of the criminal law. He then proceeded to state some of his objections to the several clauses in their order, and adverted particularly to that part of the first clause which makes intention criminal, although it should not be followed out by any act—to the monstrous partiality exhibited in the same clause, by which a man might enter into the most extensive contract for sending woollen cloth to France; but if he should happen to wrap up along with any parcel of it only a dozen pairs of shoes, he would be liable to be tried and executed for treason—and the danger of depriving persons tried for treasons under this act of the benefits given by the acts of King William and Queen Anne. He concluded with saying, that he conceived the bill, from the beginning, to be totally unnecessary, and only intended to continue the alarm which had been previously raised.

Mr. LAMBTON begged to ask of gentlemen on the other side whether the furnishing the French with cloth for cloathing their army was not, in the strictest sense, aiding and comforting His Majesty's enemies? and whether it would be safe for a merchant in Leeds or Halifax to send woollen cloth to France to be used in cloathing the French army, in case the present bill should pass into a law, and that woollen cloth should not be one of the prohibited articles enumerated in it?

Mr. Chancellor PITT said, that this was a matter which had been already discussed, and was foreign to the question then before the House.

Mr. COURTENAY reprobated the general principle and various enactments of the bill in the most severe terms, and stated that the most gross hypocrisy and deception had been made use of with respect to the clothiers in this country, who were placed in a most dreadful and dangerous situation from what had passed on the discussion of the present bill, if, by sending woollen cloth to France, they should be guilty of treason under the act of the 25th of Edward III. How did

this accord with what had been held out on the first discussion of the principle of the bill, viz. that it was necessary to define, in plain and distinct terms, what specific acts did constitute treason. He hoped gentlemen on the other side of the House knew their own meaning; but to him it was totally incomprehensible.

Mr. FOX said he should not conceive himself to be doing his duty to the Public by suffering this bill to be passed without making some observations. It was a bill which, without one exception, was the most unjust in its principle, inadequate in its provision, and tyrannical in its effect, that ever passed that House—one for which there was nothing like a precedent either in policy, justice, or humanity. It was indeed said to be a bill, the principle of which was to prevent aid and comfort being given to His Majesty's enemies. He said the bill had no such principle—it had that for its pretext indeed; but there was a material difference between principle and pretext, which the right honourable gentleman often endeavoured to confound, and whenever he should be able to succeed in that respect, and to persuade the people of this country that principle and pretext are the same, he would have advanced considerably to the advantage of the whole character of his administration. Here Mr. Fox took notice of the nature of the bill as originally brought in by the Attorney General, and the almost total difference between that and the one now about to pass that House; the one now in question, however, was, after all, in the point of policy alone, such as this country would gain less, and our enemies lose less, than if no such measure had been adopted. But it was not upon policy only that this bill ought to be considered; great as that consideration ought to be, there were other considerations that were still of a higher nature—he meant justice and humanity—these were of more importance, because they regarded the character of the country in its most valuable sense. The very question put by his honourable friend respecting the cloth, he said, proved that this measure could not be reduced to the standard of reason or of justice; for, as the bill now stood, part of it was said to be declaratory, and part enacting. These two points he had on several occasions called on the friends of the bill to explain; but, as that was not done, it would be impossible for any man to know,



by the perusal of the bill, what was declaratory and what was enacting, and as by part of this bill cloth was not prohibited now, although it was so when the bill came in, what would be the result of this? Why, that as nothing was said of cloth in it, and as the declaratory was not distinguished from the enacting part, no man could know whether, in sending cloth, he would or would not be liable to the penalties of the 25th of Edward III. In what a situation were the poor people of this country to be in, for poor people they might well be called if subjected to such a bill, to have a law of treason without having a possibility of knowing the operation. If the bill did not operate to prohibit the sale of cloth by the subjects of this country, and some should fear it did, and therefore they would suffer themselves to be ruined in their fortune rather than risk their lives, they suffered great hardship. If, on the other hand, some persons thought that as this bill specified certain articles, the sale of which it prohibited, they might safely sell those that were not specified at all, and afterwards it should turn out that this bill did not repeal the 25th of Edward III., here then they would be entrapped and ensnared by this bill into the penalties of treason. What a situation was this for the people of this country to be in—to be subject possibly to the penalties of a crime, without the possibility of knowing what constituted that crime. With respect to the clauses of the bill, there were many of them to which no man, who had the least feeling for his fellow creatures, could agree; one, in particular, which turned upon the meaning of the word agree, or rather the construction put upon it. This was against all the analogies of the law of England, and unjust in its principle. Here Mr. Fox took notice of several acts of Parliament, as they tended to illustrate his argument upon the injustice of the clause to which he alluded; one, in particular, for the prevention of frauds upon verbal agreements, provided that no man should be bound by any evidence given of his having entered into a verbal agreement if the sum amounted to more than 10*l.*, and the principle of that bill was, that upon all conversation and verbal communication there was a facility for the commission of perjury. Any person might swear he heard two persons agree to any thing, and it might be difficult, perhaps impossible, to refute that testimony, although false;

therefore, on former occasions, the wisdom of the Legislature had said, that no man should be bound by such evidence beyond the sum of 10*l.*; but by this bill all ideas of justice and humanity were abandoned, and evidence, which in a civil case would not affect a man's purse to the amount of 10*l.*, were here to take away his life! This would put any man in the power of malice, and all the most hateful passions, and lead to perjury, subornation of perjury, and to all the most infamous practices. He could not see how the House could subject their fellow creatures to such cruel hardships; and he would say, that if such a bill should pass that House, it must cover it with a considerable degree of shame; he therefore should advise them to avail themselves of the opportunity, the last they had, of preventing this bill from passing into a law; indeed the whole clause to which he had just alluded had, on a former occasion, been so well exposed, that he need not say any thing farther upon the subject. With respect to the clause which prohibits the purchasing of lands in France, Mr. Fox assigned several reasons for thinking it against justice and humanity, and an insult upon the dignity of Parliament—a satire upon its sense too—for if an Englishman, being in Ireland, buys land in France, he is guilty of no offence whatever. If an Englishman, being in Hamburg, bought lands in France, he was half guilty and half innocent: this might easily be done by power of attorney, and afterwards his guilt was to be compleated; what was to fill the measure of his guilt? Some heinous act, no doubt; something dire and dreadful—returning to his native country! Of all the acts of cruelty, of all the tyranny and absurdity, that ever disgraced an act of Parliament in England, this he thought the worst. But this too, as well as many of the other provisions of the bill, had its precedent—a precedent of the National Convention of France, in its decree against the emigrants, which made their return to their native country death; and the authors of this bill, consistently with all their late proceedings, actually imitated the harshness of the French Convention, by making it death for an Englishman to return to England. Another part of the bill, which tended to what was called the facility of conviction, was discussed last night; he should, therefore, be brief upon it. The right honourable gentleman (the Chancel-

lor of the Exchequer) had said it was not tyranny to diminish the punishment of the offence, and to facilitate the conviction of guilt; surely this was a strange principle of legislation, were we to take it for granted that all those who should be accused must be guilty. The principle of the 25th of Edward III. he took to be of a very different nature, and the acts also of King William and Queen Anne: they were calculated not for the facility of the conviction of any body, but for the difficulty of the conviction of the innocent. And here he could not help again taking notice of the severity of the bill in submitting all persons to be tried without the assistance of a gentleman of the learned profession to address the Jury for them: he must say, that allowing Counsel to speak for them appeared to him an important point. It had indeed been said that this bill was founded upon the general principle of the laws of treason, and on the 25th of Edward III. This was only a pretext, as he had said before. Was the fact so? Not in the least. Was it no advantage to a poor man in prison, accused of high treason, to have a Counsel to visit and attend him, and to assist him in making out his defence? Was it of no advantage to a person, thus accused, to have a list of his Jury, before his trial, for perusal? Was it of no advantage to a person, so accused, to have a copy of his indictment several days previous to his being called upon to appear on his trial? Was it no advantage for such a person to have a list of the witnesses to be examined against him? Most unquestionably it was. All these were given by the former law of treason, and by this bill they were all denied. Such was the accuracy of gentlemen who defended this bill, as being founded on the former law of treason. Upon the point of the list of witnesses, he said, he hoped the Chancellor of the Exchequer had repented of what he said in answer to that observation yesterday. He was the Minister of the Crown, and it must be by his advice the Law Officer of the Crown was, in a great measure, to conduct prosecutions for treasons; and that such a person, in such a situation, should say that a trick might be played on the prisoner, by sending him a list of witnesses so numerous that he should not have time to examine it, by which the purpose of an act of Parliament might be defeated, was a de-

claration of a most alarming nature to the people of this country. All he could say was, he hoped no such infamous tricks would be attempted ; but if there was such an Attorney General in this country, he hoped there was still spirit enough in the people to bring him to a proper account for it. If there was such a Minister belonging to the Crown, he hoped and trusted there was spirit enough in that House to bring him to account for it. After several observations upon forfeiture, and the case of the Cardinal of York, and answering all the objections made to his sentiments upon that subject, he came to consider again the provisions of the statute of Edward III., as it regarded the evidence to be given against the accused. Two points arose upon this consideration : first, the Jury must be satisfied upon the evidence of two witnesses of an overt act being committed by the prisoner ; secondly, they must be satisfied that such overt act was done with a treasonable intention. In this case the evidence might be given of the act ; but the Jury were not called upon by their oath to find the prisoner guilty merely upon that evidence ; they were not necessarily bound to infer the treasonable intention. But by the evidence of this bill one witness was sufficient to convict, and the Jury were not called upon by their oaths to infer any intention, and a man would be convicted on proof of the fact merely. This was a desperate inlet to perjury and malice ; and he had too much reason to remember a case which he witnessed at the Old Bailey, not to know that there are malicious prosecutions, and those of the most infamous nature. He had heard it complained of by the authors of this bill that they were treated unfairly and with harshness, and they had appeared displeased to hear their bill called a Tiberian bill : they might be displeased ; but he must do his duty, and must call it a Tiberian bill : it was brought in a very different thing from what it was afterwards made by its authors. On complaints being made of its harshness, they seemed to have said, “ We will bring in a bill to arraign  
“ all those who love the Constitution, and even those who  
“ have shewn the greatest desire to support Government,  
“ and then by taking away some parts of it, and insisting on  
“ retaining others, it will appear to be deliberate and tem-  
“ perate. and the Public will thank us for our moderation.

“ and will conclude that the parts which are left are right.” But, Mr. Fox said, that those who could conceive such clauses as were introduced into that bill, must either be in their hearts hostile to, or have heads ignorant of, the Constitution of this country; nor was their practice on the whole proceeding to be accounted for. The hurry with which they met after the holidays, the manner in which they had proceeded in the absence of several gentlemen of the learned profession, and particularly of a learned and honourable friend of his (Mr. Erskine), whose talents and exertions upon the subject did him the highest honour. The shifts to which the authors of the bill were driven, in commitments, recommitments, and, above all, the ridiculous anxiety they had discovered to prevent the discussion from being made public, all indicated a consciousness of the impropriety of the measure altogether, and the whole now was a mass that would injure the character of the country, and particularly of that House. It would be a bad compliment to the age in which we lived. He concluded with giving the motion his decided negative.

Mr. BURKE said, that he was not surprised the right honourable gentleman who spoke last should predict an answer to what he had said, as he must think too well of the House, as well as of himself, to suppose that he should remain unanswered. What sort of answer he should receive from others he could not take upon him to say; but for himself, he would assert, that though his answer might be the weakest, it should certainly be the fairest. Infirmary might call for pity; but his candour, he trusted, would claim approbation. The right honourable gentleman, he said, had confined his objections to two points; the one dilatory, the other peremptory. And, first, as to the dilatory, or the absence of a certain learned gentleman (Mr. Erskine), he regretted, and the House must regret, that the conflicting duties of that learned gentleman to that House on the one hand, and his clients on the other, should have prevented him from affording assistance and information so very material as his to the present discussion—a loss of such magnitude, he said, demanded something by way of comfort, and that he would afford them. It must then, in the first place, comfort the House and the right honourable gentleman, that whatever the discussion lost by the learned gentle-

man's absence his clients gained, and he himself was proportionably indemnified in his profits. Another comfort he offered them was, that though the learned gentleman had been so churlish as not to communicate his rich ideas to his right honourable friend, that gentleman did not stand much in need of his assistance, either in substantial eloquence, splendid declamation, virulence, or acrimony; and while the right honourable gentleman was present, he thought the House would hardly be inconsolable for the loss of his absent friend—though Atlas was gone, Hercules remained to lend his shoulders to the falling globe of the Constitution. Mr. Burke ridiculed Mr. Fox's lamentation for the absence of Mr. Erskine. If, however, he said, the House was to defer its business till the learned absentee had discharged his duty to all his clients, it would find itself in the predicament of the peasant of old, *Exspectat rusticus dum defluat amnis*. The House, in that case, must wait long enough, and, in doing so, gratify the right honourable gentleman, who, like Fabius, wished to fight all his adversaries by delay—a particular mode of generalship that never was carried to such length in ancient or modern times as by the right honourable gentleman. As to the peremptory objection, he admitted, that if there was a subject more serious in its nature than any other for the contemplation of Parliament, it was that of meddling with the laws at all. When the House touched jurisprudence, it should do it with a tender hand; the criminal part still more tenderly, and the law of treason most of all; for they were those in which power might be worst employed to hurt persons obnoxious to it; it should, therefore, be watched most carefully: when the Constitution was concerned, there could not be too much caution. There were, he said, but two points on which the bill could be considered; one, whether it was conformable to law; the other, whether it was consistent with policy; and, in considering the matter, the House must throughout take along with them, as the grounds of their reasoning, and the very foundation of the bill, that we were at war with France upon its present bottom and system as it related to the other powers of Europe. The charges of unconstitutional and hostile to liberty had been levelled at the bill. These, he said, seemed to be common-place expressions of gentlemen on all occasions: they were used too fre-

quently ; but, in his opinion, should not be used so lightly. Those, and the whole of the right honourable gentleman's speech on the present occasion, resembled more a prize declamation at an university than the substantial arguments of a statesman ; but coming from a person of abilities so truly respectable (and no man respected his talents more than he did), they required attention. Our Constitution was a provident system, formed of several bodies, for securing the rights, the liberties, the persons and the properties of the people. The Constitution was composed of the King, Lords, and Commons ; and in the judicial power, the King was represented by the Judges, the Lords by the Writ of Error, and the Commons of England by the Juries. " Now let us," said he, " get out of the torrent of declamation, and see what part of this Constitution is touched or affected by the present bill. Is the King's prerogative touched ? Are the Lords touched by it in their legislative or judicial capacity ? Are the Commons touched by it ? Are the Judges or Juries touched by it ? No—none of those : The Constitution remains sacred and inviolate ; and the whole torrent of *ad captandum vulgus* declamation on the subject melts into air."—The question, then, was, did the bill touch those things for the protection of which the Constitution existed ?—Was it asked, whether it infringed on liberty ? He would say, Yes, it did. It was a law ; and laws always infringed in some respect on natural liberty, as commanding something to be avoided. Every law that was made took away something from the portion of liberty. It was then to be considered, whether the present measure was such as took away more than was necessary of that liberty ?—If so, he thought it ought not to pass : and, next, whether it took away such a liberty as, if it remained, could do no mischief ?

In a constitutional view, all acts done by that House were to be considered as either peace or war acts. There must be a peace police, and a war police ; the latter of which was to secure the blessings enjoyed in the former, and each different from the other, the necessities of war calling for an increase of the prerogative of the Crown, in progressive proportion to the difficulties that occurred in it ; and this made a part of the body of the common law. If this, then, was the case, the first thing to be considered was, whether the general matter of the

bill harmonized with the general principles of the Constitution, and were justified by the example of our ancestors? Convenience, he said, was the ground of all law; and hence the present bill was consistent with the general principles of jurisprudence. The juridical power of punishing as traitors those who aided and comforted the King's enemies, could be traced to Edward III. and, if necessary, even farther. Aiding, in the strict legal sense of the word, was assisting and comforting, was making stronger; and the present act went exactly to that object, following the principle of the law of 25th Edw. III. and only drew out into a detail of specific acts the generality of that Statute. And though the provision of that law went in general terms to make aiding and comforting the King's enemies treason, yet it directed the King, by the advice of his Judges, to specify those particular things which were to be considered as overt acts; and he hoped it would be considered as no disparagement of the gentlemen of the present day to say, that those of that time were as competent to judge. Lord Coke said, that the law was as well understood then as it ever was since; and though the fashionable jargon now was, that those of the present day had got all the wisdom in the world to themselves, there were as great men then as any now in law and Church and State. The Legislators who made the act of Edward III. he said, gave that direction, as they did not wish to leave to the subtilty of Judges, or simplicity of Juries, so very material a point. In the present case, the bill followed the spirit, but not the letter of that of Edward III. as well as those of Charles II. King William, and Queen Anne, all of which did the same thing that is done in this: so that the House might consider themselves as not acting worse than their ancestors. Here Mr. Burke read an act of Queen Anne, containing provisions similar to those before the House. This, he said, he had read for the purpose of shewing that our ancestors had entered into an enumeration of the specific things that constituted the offences, not as overt acts, but as acts treasonable in themselves, following exactly that of King William, all of which went on the principle, that it was not safe for the subject to have the construction of overt acts left to the caprice of Judges; and the last Statute (namely, of Queen Anne,) was not only prospective, but retrospective;—



as it declared those who had been abroad before it, and returned without license, traitors—and prospective, as it declared those who transported, or went on board a ship with intent to transport themselves to France, guilty of high treason; so that this was not the first attempt to make an intent high treason. That Statute had an energy and a harshness in it far greater than the present, although it was made in the very session that the Queen received an account of the glorious victory of Blenheim—although the Houses of Parliament were full of Whigs, and although there was not a single division in the Commons on it, from the 12th of January to the 8th of March, the time it was going through the House. Nay, it was carried triumphantly through, though the Commons were as wise and virtuous then as at any time.

Here Mr. Burke quoted a sentence from the *Lex Julia Majestatis*, in order to shew that all nations agreed in the principle, that he who aided the enemy was guilty of high treason. But gentlemen had asked, was a bare intent to commit an act sufficient ground for punishment? To this he would answer, Yes! the law pronounced it—not that intent which lay concealed in the bosom, but that which was conceived with a resolution to execute it—not the cogitation, but the determination: and for this he gave the authority of Serjeant Hawkins, who says, that by law an intent to commit a felony is a felony itself, as a man shooting at another with intention to kill him: and he put the question, whether, if there were bravoës in this country as there are in others, the House would hesitate to make their laying a plan to kill a man felony? As to the word agree, to which so many objections had been made, Mr. Burke answered with great force of argument, that an agreement implied an intention of two people; it was, in fact, a contract—not a *nudum pactum*, but such as a man might recover on at law. As to the argument of the right honourable gentleman (Mr. Fox,) drawn from the statute of frauds and perjuries, that a sum above 10l. cannot be recovered under a verbal agreement, that right honourable gentleman, he said, was acquainted with the laws well enough to know, that the criminal law punished an offence on a sum far below that on which a civil action could be

maintained; for instance, if a man put a twopenny stamp upon paper, it was felony. In short, the smallest pecuniary frauds were held by the law highly criminal—and for this plain reason, that if, in criminal cases, a loose was given in small matters, it would be impossible to know where the mischief would end: so that from criminal and civil law it was impossible to argue *a minore ad majorem*, or *vice versa*. When gentlemen objected to the provisions of the bill on the score of possible perjury, they should reflect, that it is the condition of human law and human nature to be ruled by the oaths of men in trials for their life and property, there being no other means to be resorted to. That objection, therefore, was at an end: so that the bill introduced no new matter, no anomaly whatsoever; and if it differed from the Statute of Anne in any thing, it was in being infinitely more lenient. The next matter for the consideration of the House was, whether there were any new occasions that demanded this measure? And if there were, whether they came within the meaning of the words, aiding and comforting?—For the laws, he said, were bending to occasions while they followed principles, as the rays of light acting under a general law are refracted by a particular modification of glass through which they would, under the same laws, otherwise pass in a direct line. What was the particular occasion that governed the present case? France had endeavoured, under the specious pretext of an enlarged benevolence, to sow the seeds of enmity among the nations, and destroy all local attachments, calling them narrow and illiberal—thereby to dis sever the people from their Governors—“Let any one,” said he, “read the proceedings of that mother of mischief, the Revolution Society, and be convinced!” In consequence of this, he said, the House was called upon to give every fair advantage and every parental advice to the country, and preserve that moral relation, the destruction of which was the great aim of its enemies. As to the injury commerce might be supposed to receive, he would say a few words. England was a commercial nation—so was every other, as far as it could. But if, by commercial nation, it was implied that commerce was her ultimate, her only end, he would deny it,

her commerce was a subservient instrument to her greater interests, her security, her honour, and her religion. If the commercial spirit tended to break those, he insisted it should be lowered. Gentlemen had said, that if we refused to supply the French, Holland would; and elucidated those arguments by an old observation, that if the Devil was carrying a Dutchman to Hell, he would contract with him to supply the coals. To this he could only say, that our supplying the French would be exactly a parallel case, and full as despicable; and he would answer for the liberal and patriotic spirit of the British merchants, that they would willingly dispense with the profits of that trade for the benefit of their country. As to the insuring of our enemy's ships, he objected to it, chiefly on account of the moral effect it must have on the minds of the people. In a state of warfare, it must be the wish of every good mind to disarm the enemy rather by despoiling than killing them, as well from motives of humanity as personal interest. When, therefore, a prize was taken, and an English insurer was to pay the loss, exclusive of the increased litigation, it either gave the captor the pain to deplore the loss of a fellow subject, or rendered him callous to the consideration and feelings he should have on such an account, and inspired an habitual delight in the plunder of his fellow citizens, and an indifference to the welfare of his country, perhaps worse. The clause for preventing British subjects purchasing in the funds of France, he observed, and with infinite regret observed, was left out—it was indeed, he said,

Hiatus valde deflendus:

But as it had been abandoned, he would make no farther remarks on it. On the whole—conceiving, as he did, that it was the duty of the House to concentrate and fortify the country—conceiving that it was their duty to keep their subjects at home, and prevent an adulterous communication with the French—and conceiving that a man was as likely to be a better husband for having two wives, as a better subject for having two countries—he would give the bill his most hearty concurrence. And when the House considered that France could

only be enabled to carry on war out of resources drawn from the bowels of Great Britain, it could not but approve of a measure which only went to prevent Englishmen from fighting against their own country, and making contracts to its ruin. "Let us not," said he, "turn our every thing, the love of our country, our honour, our virtue, our religion, and our security, to traffic—and estimate them by the scale of pecuniary or commercial reckoning. The nation that goes to that calculation destroys itself."

Here Mr. Burke drew an animated glowing picture of a contractor dealing with the French; and put into his mouth the following expressions: "Should our Sovereign, impelled by parental feelings for his people, hazard his august person, and take the field against you, behold, here is powder of the first quality, and here are bullets that shall do his business; I do not cheat you; believe me, they are good. Or should his children, stimulated by an hereditary thirst for glory, take the field, avarice shall defeat their courage; those bullets and this bayonet shall go to their hearts, and Great Britain and her commerce be the gainer." He then turned to the subscription set on foot for a provision for the widows of men killed in battle, pronounced a warm eulogium on the subscribers, and said, "But then, comes Mr. Contractor, and tells them, if I don't supply, you have no occasion to subscribe—and while they find charity, his avarice finds objects for it."

Mr. Burke concluded by declaring, all he desired was, that England would be true to herself, and not carry on an adulterous intercourse with the prostitute outcasts of mankind.

Mr. Chancellor PITT informed the House, that the Dutch had taken the start of us in making a provision similar to that which was the object of the present bill.

Lord CARHAMPTON made a few observations, in the course of which he took notice of the observations of Mr. Fox on the subject, as far as it related to Ireland. His Lordship was of opinion, that too much trouble was taken to allude to the Irish, as if the union that subsisted between the two countries might be interrupted. He had no doubt but that ninety-nine out of one hundred of them would be glad to see among them a bill similar to this.

Mr. FOX explained, and said he never made any endeavours for the purpose to which the noble Lord alluded, and the part he had taken in the present bill, with regard to that country, had been approved of by the House, for they had adopted every one of his suggestions. Whether such conduct deserved rebuke, the House ought to judge for itself; for his part, all he did was to prevent disagreeable consequences taking place. Indeed, the noble Lord should complain of the House itself, if he had any complaint; for the opinion of an individual was out of the question, after it was adopted by the House.

The House divided;

For the passing of the bill	—	154
Against it	—	53
Majority		101

The House adjourned.

*Wednesday, 10th April.*

The message from His Majesty being read, as also the order of the day, for taking it into consideration,

The House resolved itself into a Committee for that purpose.

Mr. Chancellor PITT moved, "That one million five hundred thousand pounds be granted to His Majesty, to enable him to defray the extraordinary expence of the year 1793, in prosecuting the present war with vigour, and in taking such measures as the exigence of the case may require; such sum to be charged upon Exchequer bills, &c."

The resolution was put and carried, and ordered to be reported to the House.

Lord FIELDING said, that an end of this war was desirable, and he hoped would soon take place. Insurrections and violent alarms had taken place in several parts of France, particularly in Brittany. His Lordship thought that Government had but one reason for not sending troops to France, for the purpose of assisting in these alarms to distress the enemy, namely, that there were no troops to send. He therefore recommended that such of our militia as should be willing to go should be added to a number of regulars, so that no more than a third of the whole number should be employed in this service; the remainder would be quite sufficient to preserve the internal

tranquillity of our own country. This he proposed to be done by a bill to enable His Majesty to add to established soldiers, &c.

The report of the resolution just entered into was ordered to be received to-morrow.

Sir CHARLES MORGAN moved the order of the day, which was to go into a Committee on a bill to prevent the working of canals in the time of the corn harvest.

Mr. FRANCIS said, that being entirely against the principle of the bill, he presumed he was in order in opposing the Speaker's leaving the chair. That he did not propose to enter at large into the arguments which might be urged upon the merits of this bill, but should content himself with stating two fundamental objections, which he thought were unanswerable: first, that the bill was founded on a false supposition, viz. that labour provided and payment secured would not find labourers, when they were most wanted; that he, on the contrary, was convinced that, in this country, wherever there was employment offered, and an adequate price granted, there would always be found hands sufficient to perform it. If, at any particular time or place a deficiency had existed, it could only be accidental and temporary, and need not be provided for by the permanent provisions and coercive regulations of this bill. There was no reason to suppose that harvest labour would not be as readily supplied as any other, if it was equally well paid for. But the second objection, which he had to state, appeared to him much more material, and in its nature insurmountable. That what the bill proposed was a thing, which no Legislature had a right to do, that is, if natural justice were, as it ought to be, the direction and limit of all legislative power. The industry of all men ought to be free. Every individual had a right, of which he could not be deprived without injustice, to carry his labour to that market, where he could dispose of it to the greatest advantage, and to serve that employer who offered him the highest price for his service. If, at particular seasons, there were in fact a competition for labourers between the farmers and the canals, would you by force deprive the labourer of the benefit of that competition? Would you say to a working man, who has nothing but the labour of his hands to subsist on, that he must work for the farmer for a shilling or eighteen pence a day, when he can get

two shillings by working on the canals? What right have you to give the farmer a monopoly of the service of any set of men? Let him pay for it, and he will have it. The class of people who were to be affected by this bill, was the lowest in the community, and for that reason, if they were industrious, the best entitled to kindness, encouragement, and protection.—Property they have none. What right, what consolation, would they have left, if you deprived them of the liberty of providing for their necessities, by the free and uncontrolled application of the labour of their hands? He trusted, therefore, that the House of Commons, who were the proper guardians of the people, would never consent to pass a bill to deprive them of the first of all natural rights, that of labouring, as profitably as they could, for themselves.

Mr. DENT was against the bill in question; he said there were hundreds of people who came from Scotland and from Ireland, for the purpose only of working in canals, and who knew nothing of corn harvest. If this bill passed, they would be entirely deprived of the only honest means they had of subsistence. If they should return to their native country, would the farmers pay their expences, and give them an equivalent for their loss of wages?

Mr. POWYS was against an unqualified bill that should operate to the restraint of labour, but thought that one might be modified, so as to meet the ends of justice and expediency.

Mr. CAWTHORNE was nearly of the same opinion.

Mr. COURTENAY opposed the whole principle of the bill, upon the same grounds as those specified by Mr. Francis.

Mr. BURKE also opposed the whole principle of the bill. He said there could not exist any necessity for it; for where there was a competition for raising the price of labour, there would labourers be found.

Sir CHARLES MORGAN said, if this bill did not pass, he despaired of getting in the corn.

Sir WILLIAM MILNER was against the motion.

Sir WILLIAM DOLBEN spoke in favour of it, and thought the bill might be modified to obviate objections.

A division was called for, but it was afterwards agreed to postpone this business until this day three months.

The order of the day being read, for taking into consideration the adjourned debate, on the motion for leave to bring in a bill to prevent bribery and corruption in the future election of Members to serve in Parliament for the borough of Stockbridge, in the county of Southampton; and also for leave to bring in another bill, to disfranchise certain electors of that borough,

Mr. POWYS said, that as to the first bill he had no objection; but unless he had better evidence laid before him, he should not think himself justified in voting for the second.

Mr. SALISBURY said a few words in explanation of the evidence on which the report of the Committee was founded.

Mr. FOX approved of the mode which had been adopted in the present case, in separating the two objects of the report of the Committee. He considered the bill to disqualify the electors, as a bill of pains and penalties; and he remembered in the case of Shoreham, when a bill of pains and penalties passed, he heard a great deal of evidence in the House, but not thinking that evidence sufficient, he voted against that bill. He had no particular objection to this bill being brought in, in order that the subject might be fully discussed, but then he should require evidence to be given at the bar of that House in a very satisfactory manner, of the clear guilt of these electors, before he should agree to the passing a bill to deprive them of their right of election.

Mr. ELLIOT said a few words.

Mr. HUSSEY thought the proceeding in this bill to be, properly speaking, a proceeding upon an *ex post facto* law; if the law was perfect, why not proceed upon the law as it stands; if otherwise, why make a law for this case in particular, why not alter the law in general? He considered this measure as an act of oppression upon these persons; for was it possible for them to appear properly before the House to make their own defence? He moved "That this debate be adjourned to this day three months."

The SOLICITOR GENERAL objected to the principle of the bill. There was an act of Parliament, the 2d of Geo. II. which regulated the mode of trying persons for bribery at elections, and of punishing them if convicted. The time of prosecution was by that act limited to two years after the con-



viction of the offence, and this bill might be said to be a bill for enlarging the powers of that act.

Mr. BUXTON was decidedly in favour of leave to bring in the bill in question. He thought the care that House ought to take of the Constitution of this country required it. He thought that every man in this country, who had the right of an election of Members to serve in Parliament, ought not to consider himself as holding it for his own interest, or even for the interest of the place in which he lived, but that he held it for the general interest of the whole country, and that so regarding it, he should give his vote for the wisest and the best man he knew, in order that the people at large should be satisfied with the state of their representation; for these reasons he thought that House could not be too eager to punish those who had been guilty of bribery and corruption.

Sir FRANCIS BASSET supported the motion.

Mr. WINDHAM was not of opinion that the present was such a case as called for the severity of a bill of pains and penalties, such a measure should be reserved for great offenders; he was therefore against the bringing in of the bill in question.

Mr. FRANCIS said, Mr. Speaker, my opinion, on the nature and effect of this bill, may possibly be singular, and perhaps may be thought extraordinary; but it is serious and sincere. As such, I shall deliver it without any other reserve but that, which the forms of Parliament oblige me to observe. Every man must be sensible that there are many considerations, belonging to this particular subject, which are fitter to be suggested and left to the reflections of the House, than to be publicly argued in detail. Considering the actual State of what is called the representation of the Commons in Parliament, I am against this bill, and shall oppose every measure of this kind, that may be introduced hereafter on similar ground. In what I am going to say, Sir, I do not mean or desire to make a particular application to the present House of Commons. I look back to what *has* been, and forward to what *may* be. My opinion relates to a general system, which I believe to prevail universally through the kingdom, and of which it would be equally unnecessary and disorderly to select the present House of Commons as a distinguished or prominent example. I deem this bill to be, in the first place, partial and

unjust in its immediate penal operation ; in the second, utterly useless and ineffectual to its professed or supposed ; and finally, according to *my* view of the whole subject, not only not beneficial, but likely to be injurious to the public service.. In the distribution of justice, particularly where great penalties are proposed to be inflicted, I hold it to be an essential principle, that equal measure should be observed, alike and indifferently, to all men. We have no right to fix upon special instances, for the purpose of particular punishment, while we permit or connive at the general system, to which those instances inseparably belong. They, whose minds are vigorous enough to deny, or too feeble to believe, that the construction of the House of Commons, in former times, has not been considerably influenced by money, that it has not been or is not likely to be the subject of pecuniary bargain between the candidate and the constituent, will differ from me in my conclusion. But he, who believes, as I do, that a system of bribery and corruption prevails almost universally, with the tacit consent, at least, of those who ought and are able to correct it if they think it a bad one, will never consent to inflict special penalties on persons, who are no way distinguished from their neighbours, but by the accident of being caught. You suffer the snare to exist, and you punish the unwary offender, who happens to be taken in by it. But is he any worse than the multitudes who escape ? If you believe that the commodity in question is every day bought and sold by wholesale, by rich and eminent persons, in all parts of the kingdom, will you punish a few poor, ill-educated men, for endeavouring to take their share in the same traffic, and for doing in retail, and with much stronger temptations, what their betters are doing in gross ? The poor man takes the bribe. Against *him* you are severe. The rich man offers it. Of *him* you take no notice. Gentlemen, I think, should look a little to their consciences before they venture to assume the office of judge in this case. A good deal has been said by gentlemen who oppose the bill, of the want of legal proofs in the present instance, and the difficulty of obtaining such evidence, as would justify the House in passing a bill of pains and penalties. For my part, Sir, I lay all those considerations out of the question. I take it for granted, that the particulars stated in the report of your Committee are well

founded. If I had heard every instance of the corruptions in question proved specifically at your bar, if I had seen the electors of Stockbridge take the money, it would make no difference in my opinion of this bill. You cannot punish, when you refuse or neglect to reform. The abuse is general and notorious. The instance you prohibit is nothing but a sample of the practice you permit. Do you think that, by disfranchising these individuals, the principal end of penal justice will in any degree be obtained? Do you believe it will deter others, either high or low, from selling their interest or their votes in other places, or at this place at a future election? You know it will not. All the effect, to be expected from such a measure as this, is to make other persons, in a similar situation, a little more cautious in the form of their proceedings, a little more dexterous in the management of their corrupt engagements, and more careful of exposing themselves to be detected. Under pretence of punishing bribery, in a particular case, all you do is to teach the lesson, and inculcate the necessity, of acting with deeper fraud on other occasions. If there be any truth in these reflections; if it be admitted, as I think it must, in the mind of every man, that this bill, whether just or not in its immediate application, will not deter others; I then should be glad to know, in what sense our having recourse to such a measure can be of any advantage to the Public. On my principles, and according to my view of the subject, nothing can be more injurious to the public service than to hold out to the people the appearance of parliamentary vigour, in particular instances of corruption, when, in fact, we are indifferent about the whole system, and suffer it to take its course without interruption or notice. The effect of these pretended remedies, these occasional palliatives, I fear, will be to lull and stupify the people, already too dull and indifferent, on the subject of a parliamentary reform, and to deprive us of any chance of a real effective remedy. Believing, as I do, that a complete alteration in the construction of the House of Commons is indispensibly necessary to the preservation of the Constitution, I never will concur in any measure that tends to throw a veil over the general abuse, or to encourage the people in thinking that a general comprehensive remedy for a universal and rooted evil may be delayed with safety. For my part, Sir, I seriously

and solemnly declare, that, considering all the circumstances of our situation, I think it would be ultimately more advantageous to the country, that the abuse, of which we have now one solitary example before us, should be suffered to grow and increase as it has done, rather than resort to the useless checks of such occasional bills as this; for then, perhaps, a time may come, when the evil may cure itself, or when the public shame and scandal of the present mode of election may become so gross and enormous, that this House may at last be compelled to put an end to it.

Mr. POWYS disclaimed all the sentiments he had just heard, and begged it to be understood, that he voted against the bill, not on any theoretic ideas of general reform, but on the insufficiency of the evidence in this specific case.

Sir WATKIN LEWES was for leave to bring in the bill.

Colonel MACLEOD was also in its favour.

Mr. HUSSEY explained.

The House divided,

For leave to bring in the bill	19
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Against it	—	—	18
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The House adjourned.

*Thursday, 11th April.*

The report of the Committee of Supply of one million and a half to be granted to His Majesty, to defray the extraordinary expences of the present year, was brought up. The resolution was read, agreed to, and a bill ordered to be brought up in pursuance of it.

Lord FIELDING gave notice, that on Monday he should move for leave to bring in a bill to enable His Majesty to assist the insurgents in Brittany, by taking such of the militia of this country as should be willing to go upon foreign service, in addition to regular troops.

Mr. GASCOYNE opened a petition from the Mayor and Corporation of Liverpool, stating the stagnation of trade and commerce, on account of late failures in certain parts of the country, and that the general interests of commerce would be injured by it, if some steps were not taken to prevent it. For that purpose, the petitioners had formed a plan to issue their notes, under certain regulations, as to days of payment and

interest, and they stated their readiness to lay before the House a precise state of their property and their ability to honour such notes when they became due, &c.

Mr. Gascoyne stated, that in point of form there could only be presented to the House a petition for leave to present another petition to the effect which he had opened, because the day for receiving private petitions was passed. This form being complied with, the petition itself was presented to the House, the prayer of which was, " That leave be given to bring in a bill " to enable the Mayor and Corporation of Liverpool to raise " certain sums of money on their negociable notes, &c."

Referred to a Committee.

Mr. Chancellor PITT called the attention of the House to this subject, which, he said, appeared to him to be of great magnitude and importance. He wished gentlemen to turn the subject in their minds. The first question that would occur to them would be, whether the facts to which the petition alluded were true; upon this he gave no opinion now; he only thought it proper that the attention of the House should be called to it, as it was a subject of great importance. He should, however, say as he felt, that this application did great honour to the liberality and spirit of the Corporation of Liverpool; for they had acted in a manner that might be highly serviceable to the commercial interest of this country. There were many instances of individuals in this country being brought to difficulties; not from their want of solid capital, or inability to answer all the demands upon them, but from sudden demands being made, which they were not able, all at once, to discharge. For these reasons, there were many individuals in this country compelled to stop payment, although there was no doubt, that on the making up their accounts their solvency would appear. He applauded the spirit which dictated this petition; and considering it in the nature of an example, it appeared to him to be of great importance. He hoped the report upon the facts would be short; and if the House could grant the prayer of the petition, he hoped they would proceed with the care and caution which the magnitude of the subject seemed to him to require.

Mr. THORNTON rose, and said, that the state of credit for some time past had encouraged the merchants to extend

their engagements so rapidly, that the most serious consequences were to be apprehended, unless Parliament should speedily interfere. He confessed himself aware that the Bank of England might be looked up to on an occasion which was hitherto unprecedented. The Bank, however, had most liberally stepped forward, and granted every possible degree of support and indulgence, and gentlemen must be conscious, that an undue extension of their credit would be highly improper, and prove ultimately injurious to the Public.

The petition was referred to a Committee to consider and report upon.

A petition was presented from several electors and proprietors of houses in the borough of Stockbridge, complaining of the injury which their property would sustain if the bill then depending in the House, extending to the freeholders of the adjacent hundreds the right of voting for Members to represent the said borough in Parliament, which right was at present confined to householders paying scot and lot, should pass into a law; and praying that they might be heard by their counsel against the said bill.

A motion was accordingly made that the petition should lie upon the table, 'and that on the second reading of the bill to which it referred, the petitioners should be heard by their counsel against the same.'

Mr. E. J. ELLIOT considered the prayer of this petition to be extremely indecent, as it went the length of insinuating, that the right of voting for Members to sit in Parliament was a matter of property; and that the Legislature ought not to pass a law, however necessary it might be to the purity of representation, because, forsooth what the electors very indecently called their property, would be injured by it. The fact was, the right of voting was a trust, and whenever it was evident that it was grossly abused, it was a duty incumbent upon Parliament to guard as much as possible against a repetition of the abuse, and to attend solely to the public good, regardless of private considerations. He said, that irresistible evidence had been given in the Committee, of which he had been Chairman, appointed to try the merits of the last election for the borough of Stockbridge, of gross and notorious bribery and corruption practised at the same; so that the Committee had

directed that a motion should be made in the House for leave to bring in a bill for disfranchising 62 electors of that borough, and for extending to others the right of election. Under these circumstances, he considered it to be his duty to resist the prayer of the present petition, and to refuse to hear the petitioners by their counsel against the disfranchising bill, which the House had ordered in, and which was to be this day read a second time. He moved, by way of amendment, that the words marked by inverted commas in the motion, should be left out.

Mr. MARTIN concurred in opinion with Mr. Elliot; he considered the elective franchise as a trust, and not as a matter of property; and therefore he hoped the House would not grant the prayer of the petitioners.

Mr. HUSSEY was of a different opinion; he thought that the elective franchise, when attached to a house, rendered that house more valuable than it could be without it; and consequently he was of opinion, that to strip it of that valuable appendage, must be an injury to the proprietor. In his mind, it was laudable in a man to acquire property in a house which would give its owner or inhabitant the right of voting; and the man who should be deprived of that right might complain, that both his property and importance would be thereby diminished. He said, he remembered very well that one of the best plans for a parliamentary reform which had ever been laid before the House of Commons was formed on the principle, that the elective franchise in boroughs was a matter of property, and on that ground it went to propose and provide for the purchase of all burgage tenures. The bill against which the petition was directed, enacted, that the right of voting for the borough of Stockbridge should be extended to the freeholders of the neighbouring hundreds. If by this, the right of voting was to be given to persons who did not possess it before, something might be said in support of the measure; but they were electors already in right of their freeholds, and were represented by the Knights of the Shire. With respect to the petitioners, whose case was then under consideration, he thought the House could not in justice or decency refuse to hear what they had to say; and therefore, though he should stand alone, he was determined to take the sense of the House upon the amendment moved by an honourable Member.

The question was put, and the House divided, when the amendment was rejected by a majority of 27.

For the amendment, 12 ; Against it, 39.

The original motion was then carried, which secured to the petitioners a hearing by their Counsel.

The bill against which the petition was presented, was, according to the order of the day, to be read a second time.

To oppose the second reading Mr. Pigot and Mr. Douglas appeared at the bar as Counsel for the petitioners. The former gentleman first addressed the House, and having proceeded for half an hour in his speech, he was interrupted by

Mr. HUSSEY who moved that the Counsel should withdraw ; and the reason he assigned for this motion was, that the arguments which the learned gentleman was using were of too much importance to be addressed to almost empty benches ; they were well entitled to the consideration of a full House ; and to use them then, when so few Members were present, could be of little use to the parties concerned. He desired that the House might be counted ; it was accordingly counted, and it was found that only 31 Members were present ; the House of consequence adjourned.

*Friday, 12th April.*

The bill for granting to His Majesty one million and half for the extraordinaries of the present year, was brought up by Mr. Rose, read a first time, and ordered to be read a second time on Monday next.

Mr. HOBART brought up the report of the Consolidated Fund bill ; read, and agreed to ; and the bill ordered to be read a third time on Monday, if then engrossed.

A short conversation took place between Mr. Elliot, Mr. Hufsey, and several other Members, after which it was agreed to move the order upon the Stockbridge election on Thursday next.

Mr. HUSSEY moved that the order of the day on the Million Bank bill for Monday next, be discharged and appointed for Monday fortnight. Ordered.

On a motion to revive a Committee upon a private bill, Mr. Cawthorne moved, that the House be counted, 19 only appeared in the House, and therefore an adjournment took place.



*Monday, 15th April.*

The order of the day being read for resolving into a Committee on the Government and trade of India ;

Mr. Chancellor PITT said, his right honourable friend (Mr. Secretary Dundas) had not yet been able to complete the necessary previous arrangements for opening the business to the House. He would probably be able to bring it forward in the course of the next week, and would give notice of the particular day in the course of this week. In the mean time he should move that the order be discharged, and a new order made for Tuesday next.

The report of the Liverpool petition, praying for leave to bring in a bill to enable the corporation to raise money for the relief of commerce, was brought up.

Mr. RYDER moved for leave to bring in a bill for more effectually raising seamen to man His Majesty's and merchants' ships, during the present war. Leave was given, and the bill brought in, and read the first time.—Adjourned.

*Tuesday, 16th April.*

Colonel MACLEOD rose to ask the Secretary of State whether it was his intention to bring forward his proposition, of which he had given notice in the early part of the session, for taking off the duty payable on coals in the northern parts of Scotland. The session, he observed, was now far advanced, and, if credit was to be given to certain reports, was drawing to a close ; and yet the right honourable gentleman had not yet thought proper to bring in his proposition for the relief of the Highlands, in lowering to the inhabitants the price of fuel. There was no great ground for hope, that if the business was taken out of the right honourable gentleman's hands, it would meet with success ; still it was the duty of those who were tolerably acquainted with Scotland, and with the great hardships and grievances of the lower class of the people in the Northern part of the kingdom, arising from the scarcity and dearth of coals, to make an attempt to relieve them ; and therefore he gave notice that a motion would certainly be submitted to the House by some other gentleman, if the right honourable Member was not prepared himself to make one this session.

Mr. Secretary DUNDAS said, that so far from having abandoned the idea of relief to be granted to the Highlands, of

which he had given notice in the early part of the session, he then held in his hand a clause which he had framed for this purpose, and which he intended, with the leave of the House, to have inserted in a bill that was then in its progress through the House.

Lord FIELDING rose to make his promised motion respecting the Militia. He observed, that the torrent of French invasion, which, with fraternity in its mouth, and havock in its heart, had threatened to over-run this country and all Europe, was, by the blessing of Providence, now happily repulsed, and the French armies were driven within their former boundaries. But this fortunate event ought not to make England relax in their efforts; she ought, on the contrary, to follow up the blow with vigour, lest a change of fortune should enable the enemy to resume their projects of conquest and ambition, and make them return to the charge with redoubled energy. A happy opportunity now offered, which, if we properly availed ourselves of, might help us to wound France in the most sensible part; such an opportunity as surpasses the most sanguine hopes any man dared to form a few years back: this opportunity was to be found in the insurrections in Bretagne, (Britanny) a maritime province of that country, and the seat of her principal naval strength. He might say, in the words of the poet,

*Angle, quod optanti divum promittere nemo*

*Auderet, voluenda dies, en attulit ultro. Virg.*

Sound policy required that we should co-operate with, and support the insurgents; but he admitted that it was not very easy to find the means of an effectual co-operation. It was desirable that we should send over to Bretagne a powerful body of troops; but he was sorry to say that our army was very far from being complete, for we had little more than skeletons of battalions, and thin ranks. In such an emergency, it was natural for him to look to those from whose patriotism the nation had every thing to expect; he meant the corps of militia. He was aware that they could not be made to serve out of the kingdom; but he was sure, that when the interest of their country was at stake, the men who were in the militia would readily wave their privilege, and consent to serve abroad. He

did not mean that this consent should be the result of trick, recruiting stratagem, or undue exertion of influence or authority ; he did not wish that any militia man should be employed on foreign service, who should not be truly a volunteer. When His Majesty intended to send a detachment of his Guards abroad, he did not make use of the authority which belonged to him by law, he therefore did not issue his orders for the embarkation of any specific officer or company, but caused it to be signified to the three regiments, that he wished for a certain number of volunteers ; the consequence was, that they all turned out of their own accord, and voluntarily made a tender of their service. Just so would he proceed with the militia, if his plan was to be countenanced by the House, and he would venture to foretell that the example of the Guards would be nobly followed by the militia ; as a proof that he was not without good grounds for entertaining such an opinion, he said he was speaking in the hearing of an honourable Member, who was a Colonel in the militia, and who was authorized by the officers and soldiers of his regiment to say, that they were extremely willing to serve their country either abroad or at home ; in a word, wherever their service might be most advantageous to the Public. But though the motion was popular among the inferior officers and private men, there must be some failing, however, in the measure, said his Lordship, which the unenlightened zeal of these gallant men and myself overlooked, and which the sagacity of the Colonels of militia and Lord Lieutenants of counties had discovered ; a radical one, no doubt, it must be, as I find they will not hear of the bill being so much as received, much less discussed and modified in a Committee. I cannot help regretting this, Sir, as they would have found the measure I had in contemplation steered clear of every objection which did not go to the object of the measure itself.— It would have been far from letting loose the recruiting parties upon them ; it would have contained regulations to guard against violence, competition of enormous bounties, debauchery, or any other of those unfair arts of seduction by which the recruiting service is too generally carried on, and which I admit would be utterly destructive to all discipline in a corps which should be exposed to it. All fair and reasonable limitation too I should have gladly embraced. Nothing of this

fort, however, I found, Sir, would satisfy gentlemen; for which reason, having too much personal respect for them individually, and too high a sense of their collective weight and importance in this House, to contest any point with them, I shall not persist in making any motion. As I have some reason, however, to apprehend my motives have been misconceived, I beg the indulgence of gentlemen for a few words to that point. I protest, in the first place, this step did not arise from any concert with the Minister; I am but little connected with any party, least of all with his. My motives for bringing it forward were purely patriotic and disinterested; as a professional man, my plan was directly against my own private interest. His Lordship was proceeding to vindicate his motives, when he was called to order by

Mr. BAKER, who said as the noble Lord had declared that he did not intend to conclude with a motion, and as there was other business which many Members were waiting to dispatch, it could not be orderly in his Lordship to take up the time of the House in vindicating his own conduct, which had not been impeached by any one.

In this opinion the Speaker having concurred,

Lord FIELDING said, that he would bow to the authority of the old Member and respectable gentleman who had called him to order, and to the still higher authority of the Chair, and would therefore proceed no farther.

Colonel HARTLEY begged leave just to observe, that he was the person to whom the noble Lord had alluded, whose regiment (the Berkshire militia) had expressed a readiness to serve abroad; the fact was, he had received a letter from the officers of his corps, in which they declared that should the noble Lord's plan be passed into a law, they and their men would certainly be at His Majesty's command, and would go upon any service on which he might be pleased to employ them; but at the same time, they gave no opinion about the propriety of bringing forward such a plan.

Mr. SHERIDAN hoped the House would suffer him to speak, though he did not know whether he should, any more than the noble Lord, (Fielding) conclude with a motion; on that head, he said, he should be determined by the answer to a question, which he was going to put to His Majesty's Minis-

ters over against him. The question was, whether a paper which had appeared in all the public prints, and was therein filed a state paper, delivered to their High Mightinesses the States General on the 5th instant, and signed Auckland and Louis de Staremborg, was an authentic copy of a paper delivered on that day by the English and Imperial Ambassadors at the Hague?

Mr. Chancellor PITT replied that a paper signed by the English and Imperial Ambassadors at the Hague was delivered by them to the States General, on the 5th of April; that he had seen an authentic copy of it; but that he could not tell whether that which the honourable gentleman said had appeared in all the public prints was a correct copy or not, as he had not read it in print. If the honourable gentleman wished to be fully informed on that head, the most proper step for him to take for that purpose would be to move for an official copy of the paper in question.

Mr. SHERIDAN desired to know whether the right honourable gentleman would have any objection to his moving for it that moment?

Mr. Chancellor PITT said he had; and as the honourable Member might probably intend to ground some proceeding on this paper, he would recommend it to him to give notice of the day on which he should move for the production of the State paper to which he had referred.

Mr. SHERIDAN accordingly gave notice, that he would make such a motion on Thursday; and he said that if it should be found that the printed paper was an exact copy of the State paper delivered by Lord Auckland to the States General, he hoped the right honourable gentleman would agree with him, that it was as execrable and as unprincipled a paper as had ever disgraced the diplomatic world; and that the noble Lord who had dared to present it ought to be immediately recalled, and then impeached. The House adjourned.

*Wednesday, 17th April.*

Mr. ROSE gave notice, that he should, on Monday next, move for leave to bring in a bill for the encouragement of friendly societies.—Adjourned.

*Thursday, 18th April.*

Mr. SHERIDAN said, that last Tuesday he had stated to the House that he should this day move for the production of a state paper, and he assured the House that he did not move for that paper for the information of the House or of the Public, nor did he move it for curiosity, but that he moved it with a view that it should be followed up by a motion for an address instantly to recall Lord Auckland from his present situation at the Hague, and afterwards with a motion of a still stronger nature. The right honourable gentleman (the Chancellor of the Exchequer) had wished this motion to be postponed to this day, and he had conformed with that wish. With respect to the paper he should move for, he said, he trusted that, on a very slight inspection of it, every man must be convinced that it could not be either for the honour or the credit of His Majesty's Ministers to shelter either Lord Auckland or themselves by withholding the paper for which he should move, and which was the only document on which he could regularly form his other intended motion; and therefore, without saying one word more, he might make his motion for this paper; at the same time he was aware, that in this paper a great number of other papers were referred to, most of which had been already before the Public, although not officially before that House; and therefore he had no objection to extending his motion to all the documents alluded to in this paper.

Mr. Chancellor PITT said, that when the honourable gentleman mentioned this subject, and alluded to a certain paper, he was not certain it was the paper which he had in his own mind thought of, and therefore he had abstained from giving any positive answer. This, particularly when he considered the existing circumstances of the country, appeared to him to be his duty upon so delicate a subject as that of laying before the Public a state paper. He therefore took an opportunity of examining the state paper before he gave any answer, and having had that opportunity, he now declared that he was so far from desiring to give the least opposition to the motion which the honourable gentleman was about to make, that, on the contrary, after the manner in which the subject had been stated, not merely for the honour of the character of the noble Lord

alluded to, for whom, and for whose character, he felt what he ought to feel, for his having rendered great and essential services to his country, but also for the sake of the country itself, he wished the whole of this subject to undergo the fullest discussion, fully persuaded that, when it came before them, the conduct of the noble Lord would be found to be in strict conformity to the sentiments which had been expressed authentically by His Majesty, and which had already received the decided and unanimous approbation of that House. He did not wish to enter into the subject at present; he should only farther observe, that if the honourable gentleman did not mean to move for other papers alluded to in this memorial, he himself should have moved for them.

A short conversation then took place between the Chancellor of the Exchequer and Mr. Sheridan as to the specific papers which would be wanted for the future discussion of the subject; that being settled,

Mr. SHERIDAN moved, "That an humble address be presented to His Majesty, praying that he will be graciously pleased to give directions for laying before the House a copy of the memorial, dated the 5th of April instant, and presented to the States General by the British and Imperial Ministers."—Ordered.

Mr. SHERIDAN then gave notice of his motion on this subject on Monday next.

Mr. GREY adverted to the standing order of the House upon the subject of bribery at elections. That if any person procured himself to be returned a Member of that House, or should endeavour to do so by means of bribery or other corrupt practices, he should be proceeded against with the utmost severity. A report had been presented to that House by one of its Members (Lord Arden); this report, amongst other things read at the bar, stated that a Member had been guilty of bribery by his agent. Mr. Grey said he understood it was always usual, on the report being brought up to the table, for the honourable Member presenting that report, to move that it be read; this was not done by the noble Lord who presented this report. Mr. Grey said he did not pledge himself to follow up this subject with any particular motion after what he should conclude with on this subject to-day; he rather wished to re-

mind the House how this subject stood at this moment. He concluded with moving that the resolutions he alluded to, be read.

The SPEAKER justified Lord Arden in what he had done upon the report, and observed that all the injunctions of Parliament had been complied with in this case, and that it was competent to any Member to make the motion alluded to.

Mr. Chancellor PITT was of opinion that such a motion was proper, but hinted also, that before the subject could be said to be fairly before the House, the minutes of the Committee should also be printed.

Mr. SHERIDAN said, he was sorry to oppose his honourable friend, and yet he knew not how to help it; for it appeared to him to be disgraceful to the House to have minutes of bribery laid before them, without any motion upon the subject. But it was a tender subject. If men were obliged to lay their hands upon their hearts, and declare the truth, the number of Members of that House who would be in that situation, he, from anxiety for the respectability of the House, would not venture to surmise.

The resolutions were then read, and, after a short conversation, the minutes taken before the Committee were ordered to be laid before the House.

On the question that Counsel be now called in to be heard against the bill to prevent bribery at the election for Stockbridge,

Mr. SHERIDAN moved an amendment, instead of "now," "Monday next" be adopted.

A debate of considerable length took place. The House divided,

For the amendment, 15; Against it, 68.

*Saturday, 20th April.*

The House adjourned into Westminster Hall, to the trial of Warren Hastings, Esq.

There being two Members present on their return from Westminster Hall, the House adjourned till Monday without doing any business.



*Monday, 22d April.*

The order of the day being read for the second reading of the Bolton and Bury Canal bill, on the question that the bill be now read a second time,

Colonel EGERTON moved, as an amendment, to leave out the word "now," and to insert "this day three months."

After a short debate the House divided,

Ayes, for the amendment, 80; Noes, 65.

Before strangers were again admitted into the gallery, Mr. Sheridan, we understood, having been applied to by both sides of the House, agreed to put off his motion on Lord Auckland's memorial, for the accommodation of public business, until Thursday next.

Some conversation then took place on the subject of the Liverpool petition; after which leave was given to bring in a bill to authorise the Corporation of Liverpool to issue negotiable notes for a time to be limited.

Sir WILLIAM SCOTT stated, that it had been usual, at the commencement of a war, to pass an act regulating the distribution of prize money. He had bestowed a good deal of attention upon this subject, and had it in contemplation to bring forward a proposition for a general plan of regulation as to this matter; at present he meant to move for leave to bring in a bill for the better encouragement of seamen, and manning His Majesty's navy, the chief purpose of which would be to regulate, in the mean time, the distribution of prize money. Leave was given to bring in the bill.

Mr. Chancellor PITT moved, "That the thanks of the House be given to the Rev. Dr. Hungerford, for his sermon preached before that House on Friday last; and that he be requested to print the same."

The LORD ADVOCATE OF SCOTLAND stated, that His Majesty's Catholic subjects in Scotland are at present incapacitated by law either from holding or transmitting landed property, and are liable to other very severe restrictions, which could not now be justified by any necessity or expediency, and therefore moved, "That leave be given to bring in a bill to relieve persons professing the Roman-catholic religion from certain penalties and disabilities imposed on them by acts of

"Parliament in Scotland, and particularly by an act of the "8th of King William." This motion was ordered to be referred to a Committee of the whole House to-morrow.

Mr. Secretary DUNDAS said, he thought it right to repeat the notice he had formerly given: he meant to submit to the House to-morrow certain propositions with respect to the trade of India.

Mr. RYDER moved, "That the House should go into a Committee of the whole House to-morrow, to consider of "the duties on tobacco."—Ordered.

Mr. ROSE begged to call the attention of the House to a subject which was certainly of the greatest importance; he had considered it a good deal; he was hopeful that the regulations in the bill which he meant to bring forward would be found beneficial. Throughout the whole country of England there existed, he said, a great number of societies, called friendly societies, for the mutual relief of their sick and indigent poor. These societies were extremely useful, and were not at present sufficiently protected by the law; for one thing, they had no sufficient check upon their stewards, who were generally entrusted to lend out their money either on private security or in the public funds. To remedy this, he would propose, that these societies should be entitled to sue persons whom they may so entrust. It frequently happened that societies of this kind, formed for the best purposes, adopted improper rules and regulations, either from ignorance or bad advice: he would, therefore, propose, that the rules and regulations of every such society should be submitted to, and approved by, two Justices of the Peace, before they should be entitled to the benefit of the act. He meant also to restrain the removal of industrious persons, not chargeable on the parish, from their place of residence to their parish of settlement, which was often productive of the greatest hardships. He said, that when the bill was brought in he would wish it to be printed, and concluded with moving, "That leave be given to bring in a bill for the "encouragement and relief of friendly societies."

Mr. WILBERFORCE seconded the motion, which was agreed to; and Mr. Rose, Mr. Wilberforce, and Mr. Stanley, ordered to prepare and bring in the bill.

The Committee of the whole House on Browne's Divorce bill was deferred until Friday next.

The bill for incapacitating a number of persons from voting at elections for the borough of Stockbridge was read a first time, and ordered to be printed, and to be read a second time on this day fe'nnight.

Mr. ROSE gave notice, that on Friday next he would move that the order for the second reading be discharged; and, in the mean time, proposed to delay giving the necessary notice of the day fixed for the second reading, which was agreed to.

The Committee of Ways and Means was deferred till Wednesday.

The order of the day being read for the second reading of the Farnham Hop bill, and for hearing Counsel, the bill and petitions were read; after which Counsel were heard at the bar, both on behalf of the petitioners and in support of the bill.

On the question for the commitment, the House divided;

Ayes, for the commitment, 45; Noes, 6.

*Tuesday, 23d April.*

The House resolved itself into a Committee, Lord Frederic Campbell in the chair, to take into consideration a motion read yesterday to the House by the Lord Advocate of Scotland, for granting relief in certain cases to such of His Majesty's subjects in Scotland as profess the Roman-catholic religion.

The LORD ADVOCATE OF SCOTLAND informed the Committee, that the Roman Catholics of the country to which he immediately belonged laboured under many hardships and disabilities on account of their adherence to their religion. By one law an oath, called a formula or solemn declaration, was imposed upon them, which they could not take without renouncing the religion which they professed; and if they refused to take it, their nearest Protestant relation might deprive them of their estates. His Lordship observed, that it was repugnant to justice and humanity that a subject not convicted, nay, not so much as accused or even suspected, of any crime against the State, or against society, should be deprived of his estate for no other reason than that he professed the religion most agreeable to his judgement and his conscience, or that he should be placed in the wretched situation of holding his estates

at the mercy of any Protestant relation who should be profligate enough to strip him of it by enforcing this very penal law. The liberality which had induced the House last year, and on a former occasion, to grant relief to the Roman Catholics of England, would, he was persuaded, induce them to extend relief also to the Roman Catholics of Scotland, whose loyalty and conduct gave them an equal claim to the indulgence of the Legislature. He admitted that the particular law to which he referred was too odious to be often carried into execution; but if it was not fit that it should be executed at all, it ought not to be suffered to remain merely as a temptation to the profligate to strip honest and meritorious people of their property. He said he was extremely sorry to inform the Committee, that there was at this moment a suit actually depending in the courts of law in Scotland, founded on this particular statute. A Roman-catholic gentleman, as respectable and amiable in character as any man in this or any other kingdom, was possessed of an estate of 1000*l.* a year, which had been in his family for at least a century and a half; this gentleman, loved and respected by all who knew him, was now on the point of being stripped of his property by a relation, who could have no other shadow of claim to it than that which he might derive from this penal law, which he was endeavouring rigidly to enforce. In the courts as much delay as possible was thrown in his way; but it was to be feared that he must succeed at last, and reduce to beggary a gentleman in every respect a most meritorious subject. If it was too late to save him from such a misfortune, the Legislature, he trusted, would interpose, and take care that he should be the last victim to a cruel law, and that it should never operate in future to the destruction of any other person; for surely it was no longer to be endured that a man should be placed in the horrid situation of either renouncing the religion of his heart, or, by adhering to it conscientiously, forfeit all his worldly substance. His Lordship concluded by moving, "That the Chairman should be directed to move the House for leave to bring in a bill requiring an oath of abjuration and declaration from His Majesty's Roman-catholic subjects in that part of Great Britain called Scotland."

Colonel MACLEOD said, he did not rise for the purpose of opposing the motion; on the contrary, he was anxious to

return his thanks to the learned Lord who had made it ; such a motion did honour to his humanity and liberality ; if it could be said to be liable to any objection, it was that it did not go far enough. He had never heard before this day of the case to which the learned Lord had alluded ; it was a hard one indeed, and he hoped that, if it was possible, it might be included in the bill to be brought in, and that the gentleman in question might be rescued from destruction by the kind interposition of the Legislature. He did not know why Scotland should adhere with more pertinacity to an old system of intolerance than other countries ; and after what had lately been done in Ireland, he could not see any reason why what was now proposed should be the sum of relief to be granted to Roman Catholics in Scotland ; for he could not conceive why it should be thought that a Catholic could not with safety to the State be allowed as much liberty in Scotland as was allowed to a Catholic in Ireland.

The question was put without farther observation, and was carried unanimously.

The House was then resumed, and Lord Frederic Campbell made the motion which he was directed by the Committee to make ; it was carried without any opposition.

The Traitorous Correspondence bill being received from the Lords,

Mr. CURWEN suggested the propriety of printing the amendments made by the Lords in this bill, and also of giving time for the consideration of them.

Mr. Chancellor PITT said, that these amendments might be very easily comprehended without printing them.

Mr. ADAM observed, that although these amendments were but few, yet they were very important, and some time at least should be allowed for their consideration.

Mr. CURWEN thought so too, and observed, that, if he was not misinformed, naval stores might now, from the tenor of the bill, be sent to France.

Mr. Chancellor PITT said, he had not read the bill ; but from conversation with some persons who proposed some amendments, it was not so intended to be. It was then settled that these amendments should be discussed on Friday next.

The House resolved into a Committee to take into consideration the petition of the East-India Company relative to the renewal of their charter.

Mr. DUNDAS introduced his observations upon the important national subject of the British Government and trade in the East Indies, by stating, that the difficulties which he had experienced had arisen, not only from the importance and magnitude of the subject, but from the system which he was to propose being in opposition to established theories in Government and in commerce. These theories, he admitted, were just and applicable to other cases, and yet he found it dangerous to listen to them, when he was devising a plan of Government and a system of trade for British India. "No writer upon political economy (said he) has as yet supposed that an extensive empire can be administered by a commercial association; and no writer on commercial economy has thought, that trade ought to be shackled by an exclusive privilege. In deviating from these principles, which have been admitted and admired, I am sensible, that my opinions have popular prejudices against them, but I am supported by successful experience; and when the House adverts to the peculiarities of the subject before them, they will at once see, that I am not attempting to overturn theories, though I am unwilling to recede from old and established practice. I wish, in the outset, to arrest the attention of the House, and to fix it on the advantages which Great Britain actually possesses, and then to ask, whether it would be wise or politic to forego them in search of greater advantages which may exist only in imagination?" "It would be idle, it would, perhaps, be a proof of ignorance, to maintain that all the advantages which Great Britain possesses from its connection with India, arise out of the present exclusive privilege of the Company; but it would be rash and, perhaps, impossible to say, what might be the political or commercial effects of a variation from the present system. In an age of enterprise and improvement, men are unwilling to hear of restraints; but the wisdom of the British Parliament will not rashly relinquish a positive good in possession, for a probable one in anticipation." Mr. Dundas then stated, that the shipping employed by the East-India Company amounted to 81,000 tons; that the seamen navigating those ships were

about 7,000 men, who had constant employment: that the raw materials imported from India, for the use of the home manufactures, amounted annually to about 700,000l.; that the various articles of British produce and manufacture annually exported to India and China, in the Company's ships, amounted to upwards of a million and a half sterling, including the exports in private trade allowed to individuals; that the fortunes of individuals acquired in India, and remitted home through the medium of private trade, by bills on the Court of Directors, or by other means, formed an addition to the capital of the nation, the amount of which could not be accurately ascertained, but might be stated, at least, at a million per annum. "The industry of Britain (he observed) is thus, on the one hand, increased; by the export of produce and manufactures, and the consumption of these manufactures enlarged by the number of persons returning with fortunes from India, or who are supported by the trade and revenues of India; and on the other, it is fostered and encouraged by the import of the raw materials from India, upon which many of our most valuable manufactures depend. It would be unnecessary to analyze the articles with a minuteness that is inconsistent with an explanation of the general principles upon which I am to rest the propositions to be submitted to Parliament; let it suffice to observe, that the receipts and payments of the East-India Company amount annually to more than six millions sterling.—Under such circumstances, I pause before I listen to theories; if I had less experience in commercial economy, than practice has given me, perhaps, like others, I might be misled." Having made these general observations, Mr. Dundas brought forward, for the consideration of the House, the general question. Upon what principles ought the State to govern its Indian possessions? And under what regulations ought the trade to the East Indies to be conducted? "I wish, if it were possible, to state separately my observations upon the two great points comprehended in this question; but I find that it would be impracticable to explain my ideas of the Government, without frequently referring to the connection established between it and the trade." Mr. Dundas then stated, in concise terms, the nature of the present Government of India; that it was vested in a corporation under the control of the Executive

Power, and the superintending authority of Parliament, and that the experience of nine years had justified this system, and induced him to propose to the consideration of the House the continuance of it. "There were (said he) facts and events respecting which there could be no difference of opinion. India, or the country in Hindostan governed by Britain, is in a state of prosperity unknown to it under the most wise and politic of its ancient Sovereigns. The British possessions compared with those of the neighbouring States in the Peninsula, are like a cultivated garden compared with the field of the sluggard; the revenues of India have been increased, and the trade connected with them is in a state of progressive improvement. A war, as inevitable as it was politic, has been conducted with vigour and brought to an honourable and advantageous conclusion. Should it here be said, that the Company is an improper instrument for the management of an empire: I would, (if they were not under the control of the Executive Power and the superintendence of Parliament) readily admit the force of the argument; but if I find them to be an organ of Government, and of trade, which has experimentally proved itself to be suited to the administration of distant provinces, the revenues of which are to be realized through a regulated commerce, I am afraid to lay aside a means which has hitherto answered all the political and commercial purposes for which they had been employed." In this place he again adverted to the force of theories in politics, and admitted, that though he neither was able nor disposed to refute them, yet he could not feel it to be wise to recede from practice, which experience had proved to be for the interest and the aggrandizement of the Empire. Mr. Dundas then took a view of the hypothesis, that the system of governing India should be altered, and enumerated the difficulties which must be overcome, before the separation of the Government from the trade could be effected. In the first place, he asked, "Would not the Company, under the general terms of their charters, lay claim to the whole territorial revenues of India." They in fact do make such a claim; but he was by no means of opinion, that it had any legal foundation. It must, however, be allowed, that there is room for much legal discussion on this subject. Under this impression he had asked from those, who to local knowledge



had added experience in governing India, and in conducting the trade; what buildings of every description would be required by the Company, for the purposes of trade, and what would be required by Government, exercising its civil, military and financial powers? He had asked, upon what data the compensation for the buildings and property to be assumed by the Public could proceed? He had asked, whether the stores required for the protection and defence of the settlements were to be paid for, upon the principle of the original cost, or upon that of an equitable mercantile profit? He had asked (upon the hypothesis of a complete separation,) what offices would be required for Government, and what for commerce, and with the object of ascertaining the functions of these separate departments, and the expences which each would cost? He had asked, in fine, what burdens the Company had incurred in acquiring and maintaining our territorial possessions, that he might form some estimate of the compensation to which they would be entitled, or to which, in reason and in equity, they would look forward? He appealed to the House, whether these difficulties were not of a nature that would be embarrassing, in carrying into execution any plan for a separation of the Government and revenues from the trade of India. In the next place, supposing all the preceding difficulties to be overcome, Mr. Dundas adverted to the probable evils which the delay, arising from the plan of a separation of the Government from the trade would produce. Recurring to the actual state of the revenue and of the trade, and to the advantages which the Public were deriving, and were about to receive from the Company; he asked, would not the system of separation create an interruption in the discharge or liquidation of the Company's debts? Would it not derange the regular progress of their increasing commerce and would there not be a serious danger, that while these innovations were introducing, rival European powers might grasp at the occasion, renew their commercial efforts, divert into a new channel the streams which were running towards Britain, and rendering London the emporium of the Eastern trade? We thus might lose national advantages, which we never might regain. We thus might be the dupes of an idle and visionary attempt, and have nothing left but the mortifying regret of having relinquished

practice. He asked, in fine, considering the distance of the two parts of our Empire from each other, whether an injudicious procrastination might not shake that confidence, which so remote a dependency at present had upon the sovereignty of Britain? And whether this danger was to be incurred, merely because it was true in theory, and popular in opinion, that a mercantile body was unequal to the Government of distant provinces. His reasonings, he knew, were reprobated by the political principles of ancient nations, but the case was novel; it was not through commerce that they received revenue; for commerce then was narrow, and could not be the vehicle by which a revenue could be realized by any sovereignty.

Mr. Dundas stated as a third difficulty, in receding from the present system of Government in India, the effect which the innovation might have on the minds of the natives. They had been long habituated to look up to, and to rest upon the protection of the Company. We have now, said he, after many a struggle in the field, and after the many experiments which necessarily preceded the establishment of a regulated commerce, the prospect of consolidating our power and increasing our revenue. Would it be wise to recede from the treaties by which we acquired our territories? Or would the deviation from them accommodate itself to the feelings of the natives? It would be vain to suppose that their minds, or their habits of thinking, could be easily familiarized to the change; no foresight could even conjecture the consequences. The natives of India look back to the ancient sovereignty of the Moguls, and their confidence in the Company has its source in the country governments, exercising power as a branch of that subordination to which their forefathers were subjected.—Would the attempt to unhinge their opinions be liberal, or would it be just? Lord Clive, to whom we owe our empire in India, with a discernment and a wisdom equal to his valour, laid the foundations for consolidating the British power in Asia by entwining his laurels round the opinions and prejudices of the subjugated natives. To this political foresight, his country is as much indebted to him, as for his victory at Plassey. This great warrior and statesman thought that it would be wise to hold our territories by grants from the Mogul. He saw that all the native Princes and States, which

had sprung up out of the ruins of that empire, were sheltering themselves under the forms of the fallen Government; he knew that the power of granting or refusing privileges no longer remained with the Emperors of Delhi; but he appealed to the rights of these sovereigns, and on these rights engrafted the British power in Asia. If then the natives of India paid so much adoration to the shadows of their departed monarchs, would it be wise or politic to attempt to tear from them their feelings and their prejudices? we might attempt it, but feelings will flow on in their accustomed course. If the Company have been found a successful instrument for the administration of our Indian affairs, might not the assumption of the power by the State shake the faith of the native Princes in all the treaties which we have made with them; and might not those alliances, which had lately thrown the balance of power in India in favour of Britain, be lost, by what to these Sovereigns would appear a measure contrary to their notions of our national honour? In proof of the inexpediency of deviating from experience, Mr. Dundas farther appealed to the opinions of those distinguished men who, soon after the acquisition of the territorial revenues, had held high situations in India: Government availing itself of their abilities, and desirous of forming plans for the future administration of Indian affairs, stated to Mr. Hastings, Mr. Barwell, Sir John Clavering, Mr. Francis, Colonel Monson, Sir William Chambers, and Sir Elijah Impey, the following important questions:

First, Upon what political principles can Bengal, Bahar, and Orissa, be held by Great Britain? Upon this subject, some of them were of opinion, that it would be preferable to continue the Mogul forms, to which the natives had been habituated; and others of them recommended, that the sovereignty should be assumed directly by Great Britain.

Second, In whom is to be vested the executive power in India? And here the opinions were equally different; some recommending that it should be in the Governor *in* Council; others, that it should be in the Governor *and* Council.

Third, Under what restrictions is the power of subordinate legislation to be exercised? And on this point, there also existed differences of opinion, respecting the share to be given to

the Governor and Council, and to the Supreme Court of Judicature.

Fourth, Under what title and in what manner ought the territorial revenues to be collected? On this subject also the opinions were at variance; some recommended the Mogul revenue system, others the financial economy of Britain.

Fifth, How are the other revenues to be collected? that is, the duties and customs.

Sixth, By what Courts ought the judicial power to be administered in the British provinces in India? And here the opinions turned upon the different modes of administering justice among the British subjects.

If I had found (said Mr. Dundas) that so many able men, who either possessed the advantage of local information, or who were employing themselves in the pursuit of it, had agreed in opinion in the answers which they transmitted home upon all or upon any of these subjects, it would have been an inducement to build a system upon them: but from their differences of opinion, I can only draw this conclusion, that it is safer to rest on the present system, which experience has rendered practicable, than to entrust myself to theories, about which ingenious and informed men have not agreed.

Having thus shewn the expediency of continuing the foreign government, as at present administered, Mr. Dundas then considered the propriety of continuing the domestic plan of administration. He was aware, he said, it might be asserted, that though the patronage was directly in the Company, it was indirectly in the Crown. With respect to this subject, he wished only to fix the attention of the Committee on the fact, that the civil and military servants were appointed by the Directors. He by no means meant to be understood as asserting that the recommendation of a person by the executive Power, would not meet with attention; on the contrary, he was free to confess, that it had often done so, and that the Directors had been disposed to listen to such recommendations. He was ready even to meet any objections upon that topic, by the fair avowal of the degree in which the Court had listened to the wishes of the executive Power, and he would be happy when that subject came to be under the consideration of the House, if any opportunity offered to state the extent of patronage which had

been, from time to time, exercised by Government. At the same time he stated his full conviction, after mature consideration, that if the Indian patronage should be vested and concentrated immediately in the Crown, the weight of it would be too great in the balance of our Government, and might prove dangerous to the spirit of the constitution. It was enough at present to refer to the fact, that the patronage, from the appointment of writers and cadets, and the promotion through all the gradations in the civil and military departments, were in the Company. Upon the supposition, however, that abuses of this power had been committed, to the extent with which the Company had been charged, still he would rather endure these abuses, than run the risk of alarming the best friends of their country, by an undue increase of the executive Power. Had even the Government of India remained as much unrestrained by the executive Power and by Parliament, as before the establishment of the present system, by the act of 1784, still, with all its imperfections on its head, and with all the faults which marked it, he would have preferred a lesser to the greater evil, of placing the administration of the government and revenues in the hands of the State.

The case, however, was otherwise; the Company could no longer oppress the natives, by an unjustifiable augmentation of revenue, because the affairs of India were under the immediate control of the executive Power. The Company could no longer augment their investments by despoiling the natives of the fruits of their industry, because the tenures on which the lands were held were rendered permanent, and the taxes on the produce of arts and manufactures were known and fixed. The Company could no longer make war, to gratify the avarice and ambition of their servants, because their servants were now made responsible to their superiors, and these to the decisions of a British Parliament. The present system of governing India, both abroad and at home, has been found adequate to the objects both of war and of peace. In so far as that system shall appear to be experimentally erroneous, it can be varied and improved by regulations, calculated to remedy those errors, but it would be unjustifiable

rashness totally to overturn it, and to enter on the task of inventing, what might, perhaps, be only more perfect in description. It may not be improper, at the same time, to observe, that if the present domestic system has been found adequate to the past, there seems no reason to think that it will be less so for the future. I allow (said he) that when the present controlling power was instituted, the Commissioners for the Affairs of India had much to learn from the details of business; nor do I consider it as ostentation, when I look back to the embarrassing situation of the Company's affairs, to the difficulties which were to be surmounted, and to the fortunate issue of our efforts, to give it as my opinion, that it is safer for this country to continue the present mode of government by the Directors, controlled by the executive Power, than to recur to the speculative plan of inventing a more perfect system, however recommended as plausible in theory or splendid in experiment. So far as regards myself, ever looking forward to the present moment, when a system for Indian affairs is to be finally devised and adopted by Parliament, it was always my object, in all the reports which I have annually submitted to Parliament, and in all the publications on Indian affairs which I have either patronised or authorised, to give to the Public every thing that I myself knew respecting the subject, and to take off the veil from what has been called the arcana of Indian politics and trade, that the plans respecting them, in their succession, might lie open to the understanding of every man, who would take the trouble of perusing and studying them; it was from this freedom of communication I expected the kind of knowledge would be diffused, which could enable the Members of this House, and the Nation at large, to examine and decide upon the propositions which I was to submit to the good sense and probity of the British Nation. The Legislature and the Public could then judge for themselves, what system of foreign and domestic government would be best suited to the Asiatic interests of their country.

“ It is from knowledge of the subject alone, that I hope for, or could expect your support. Whether my opinions have been right or wrong upon particular subjects, is not

now the question; but whether the knowledge I have derived from experience and communicated to you, is such, as to induce you, when you shall fairly and deliberately examine the propositions I am to lay before the House, to adopt them, or to honour them with your amendments, is the subject for your deliberation."

Mr. Dundas then proposed, that the Board of Commissioners should continue in its present Constitution; but with one change, viz. That His Majesty should have the power of promoting, to a seat at the Board, men, who were not of his Privy Council. It was in the remembrance of many of the Members of the House, and it was known to them all, that at the period when the Board of Controul was instituted, the object was, that the Members composing it, should be selected from those high departments of the State, where, as officers of the Crown, they enjoyed emoluments which would compensate for the discharge of this new trust. It had been found, however, from experience, (whether this was to be referred to the other important charges committed to the Members of the Board, or whether to their aspiring at the great Offices of State) that the changes at the Board had been too frequent, to enable those who had the immediate responsibility, to derive the aid they might otherwise expect from their counsels and support. Though no Member who had held a seat at the Board had left it, without having done himself honour by his labour and attention, yet he could not help wishing for the aid of some Members to this Board, whose situations might be considered as more permanent.

Having thus given his opinion of the foreign and domestic Government required for Indian affairs, he could not but offer a public apology for differing in opinion, on the subject of the appointment to the Governments and Supreme Councils in India, from Lord Cornwallis, who recommended, that this power should be vested in the Crown. Two reasons had induced him to prefer the continuance of the present system. One was, that the Crown had the power of recalling these Officers, if their administration appeared to be directed by any but public measures. Another was, that a minister might be prevailed upon from private motives, or by solici-

tations from those whom it might be difficult to resist, to appoint persons whom he himself might not entirely approve of. The case, however, was widely different, when a Minister could only recommend a character to the judgement of twenty-four persons. This check was a proper one on the Executive power, and obviously tended to make the Directors careful in choosing a man, whose appointment they could avow to the Public. These were his reasons for recommending the continuance of the present mode of appointing to the Governments in India, and he left them to the consideration of Parliament as an apology, why he had ventured to differ in opinion from the high authority to which he had referred.

Mr. Dundas now proceeded to consider the subject of the East-India trade, and stated the general question, under what regulations ought the trade to the East Indies to be in future conducted? He prefaced his observations upon this subject, by alluding to the difficulties, which upon it, as well as on the subject of Government, he had experienced, from the influence of prevailing speculations and theory; but here also he held it to be his duty to rely on experience alone. "I wish not (said he) to curb the spirit of commercial enterprize in a nation where it ought to be cherished and encouraged; on the contrary, I wish to give it its utmost scope, consistently with the safety of those who may engage in it, and with the general prosperity of the kingdom. Parliament has to hear the claims of all parties, to listen to the reasoning by which they support them, and to keep its judgement to one great object, the interest of the British Empire."

"If any branch of commerce (arrived at whatever height it may be) shall be made a subject of commercial argument, and the history of it not taken into view, like a law, the system of trade may seem to be obvious, while the application of it will be found impracticable. If the East-India trade of Britain is the greatest commercial concern which has as yet occurred in the annals of polished nations, it is at the same time, the most striking example by which we could illustrate the force of the preceding experimental observation. Were a Member of this House merely to take up the account of



the profits of the East-India trade, and then to fix his attention on the surplus revenues proposed to be divided between the Public and the Company, and without looking back to the vicissitudes through which the trade has passed for nearly two centuries, or examining the aids which the nation has given to prop up the credit of the East-India Company, as its commercial representative in Asia, I can suppose him embracing the opinion, that monopolies are baneful in their spirit, and exclusive privileges destructive in their tendency; and he has the authority of the first modern writers on commerce to support his plausible opinion. If, however, he will look back to the losses which the Company have experienced, or if he will examine the profits which, from time to time, they have drawn on their capital stock, he will probably start back from his own speculations, and reflect and deliberate well, before he will give his voice for depriving them of their exclusive privileges.

In this place, Mr. Dundas took an interesting retrospect of the history of the East-India trade, and the substance of his observations was nearly as follows: The staples of Asia, he said, viz. spiceries and aromatics, precious stones, and wrought silks and cottons, had been in estimation among all the polished nations, and with all the great Sovereigns in the ancient and modern worlds. As the darkness which hung over Europe, during the middle ages, began to be dispelled, the same taste for the productions of the East was created by the commercial efforts of the Italian Republics. By means of caravans, and the navigation of rivers, the produce of India was brought to the shores of the Mediterranean, and carried from the ports of this sea, by the traders of Venice and Genoa, to the different countries in the north of Europe. The riches acquired by these republicans in consequence of the exclusive privileges which they possessed in the countries through which the Eastern commodities had to pass before they reached the Mediterranean; if it had given them the entire possession of the trade, at the same time tended to rouse the spirit of enterprise and of discovery among the other European nations. In consequence of this prevailing spirit, the Portuguese, under Vasco de Gama, discovered the passage to

India, by the Cape of Good Hope, and, in a short time, not only annihilated the trade of the Italian Republics, but acquired the trade and the settlements in India, which gave to Emanuel an exclusive possession of all the wealth which the East could then send to Europe.

“ About the latter end of the 16th century, the Dutch became independent of the Crown of Spain, and sent their armed ships to the East-Indies. In a few years they were the rivals and supplanters of the power and influence of the Portuguese, and at last erected their several, but connected, East-India Companies, carrying on the trade upon a joint stock, and under an exclusive privilege.

“ This spirit of commercial enterprize, in a short time, induced France to engage in the Asiatic trade, and, in imitation of the Dutch, to establish its East-India Company. The French, however, were not as yet acquainted with the principles upon which a foreign and distant trade could be established, having been accustomed only to a narrow traffic with their European neighbours.

“ During these important commercial transactions, England also became an eager competitor in the trade and navigation to the Eastern world. Possessed of more national ardour and equally persevering with the Dutch, emerging too from civil and religious thralldom, it determined to participate with the Portuguese and the Dutch commercial adventurers in the profits of the trade to the East-Indies. Imitating the example of the other European nations, Queen Elizabeth gave a Charter to the London Company in 1600. At first, one or more of the adventurers were entitled to carry on the trade upon their own shares, but in a short time it was found necessary to rest the whole of the concern upon a joint stock. In the succeeding reigns, the Crown frequently granted licences to individuals, and the London Company had to struggle, not only against the foreign Companies of Europe, but against the English interlopers. At last a new Association was formed, under the name of the English East-India Company; the Charter of the London Association still remaining. It was soon, however, found, that two Companies belonging to the same nation, neither could carry on the trade with profit to themselves, nor for the interest of their country. The Lon-

don Company had, besides, purchased up the greatest part of the shares of the English; the ruin of both would have followed, had not the whole subject been referred to Lord Godolphin, and had not, upon his award, the present United Company of Merchants of England trading to the East-Indies, been established. From this period to the middle of the present century, the trade to the East Indies had nothing peculiar to distinguish its character in Britain from the other countries in Europe; the ships of the European Companies, in general, carried out bullion and produce, and brought back goods from India and China to be disposed of at our sales in London.—Towards the middle of the present century, however, France formed the bold design of acquiring territorial possessions in India, and the struggle between the French and the English Companies terminated, in our acquiring a revenue of many millions sterling, and comprehending about twenty millions of inhabitants. This triumph of England was ratified by the memorable peace of 1763. The House may easily form an idea of the state of our Asiatic commerce, at this juncture, from the following statement:

From 1731 to 1741, on an average of ten years, there was paid for bullion exported, 464,574*l.*; for goods and stores exported, 152,609*l.*; the bills drawn on the Court of Directors amounted to 167,410*l.*; and the amount of the sales in Europe was 1,700,675*l.*

From 1741 to 1747, on the average of six years, there was paid, for bullion exported, 567,238*l.*; for goods and stores exported 189,411*l.*; the bills drawn on the Court of Directors amounted to 230,914*l.*; and the sales of goods amounted to 1,907,105*l.*

From 1747 to 1757, on an average of ten years, there was paid, for bullion exported, 767,057*l.*; for goods and stores exported 267,730*l.*; the bills drawn on the Court of Directors amounted to 164,482*l.*; and the sales of goods amounted to 2,143,459*l.*

From 1757 to 1767, on an average of ten years, there was paid, for bullion exported, 121,287*l.*; for goods and stores exported 428,707*l.*; the bills drawn on the Court of Directors amounted to 432,891*l.*; and the sales of goods amounted to 2,315,573*l.*

Mr. Dundas, having thus given a view of the Company's affairs, when their situation was merely commercial, or changing to the novel character of delegated Sovereigns drawing revenues from rich provinces, to be realised in Britain through the medium of trade, (after again adverting to the magnitude of our possessions, and to the acquisition of the Duannee) observed, that the Company was the instrument of Government, remitting a revenue which was to furnish a capital for trade, exclusively of the exports upon which they had formerly depended. Adverting again to the laudable interferences of Parliament to obtain, upon evidence, a knowledge of the actual value of the British possessions in India, and to the successive regulations in different acts, down to the period when the present system of Controul was established, in 1784; he concluded " That the Company had now become the organ by which the Indian Empire of Britain ought to be administered."

Upon this system, Mr. Dundas remarked, there were a variety of opinions: by one set of men it was maintained, that it was a political absurdity to entrust to a Commercial Association the Government of an Empire; since the very nature of this power rendered it impracticable for the Company's servants, either to conduct commerce upon proper principles, or to govern our subjects in India wisely or well. " But is it not true, said he, that the revenues of India must pass to Britain through the medium of trade? Is it not true, that the manufacturers of Britain, whether we view them as exporting produce wrought up from the materials of our own country, or as drawing their gains from produce that depends on raw materials imported from the East, have become rich? Is it not true, that the tribute from India cannot be realised in Britain, with safety to the State, through any other medium, but that of a regulated trade? Is it not true, that from the acquisition of the Duannee to the present times (particularly since the control of the Executive Power has been successfully employed to prevent abuses in the administration of the Government and revenues of India) that the trade has been rapidly improving and increasing, and that Parliament have had annually the evidence of this fact before them? The inference is obvious, that in the trade, as well as in the Government of India, ex-

perience may be at variance with plausible speculation ; but that in trade, as well as in Government, we must rely on practice."

Here Mr. Dundas laid before the House the following interesting statement ; by which, he observed, the increase of the trade, since the acquisition of the Duannee, would be fully illustrated.

From 1767 to 1777, on an average of ten years, there was paid, for bullion exported, 110,042l. ; for goods and stores exported 489,081l. ; the amount of the bills drawn on the Court of Directors, was 458,768l. ; and of the sales in Europe 3,329,136l.

From 1777 to 1784, on an average of seven years, there was paid for bullion 5,653l. ; for goods and stores exported 500,089l. ; the bills drawn on the Court of Directors amounted to 761,425l. ; and the sales of goods to 3,185,556l.

From 1784 to 1790, on an average of five years, there was paid, for bullion exported, 617,930l. ; for goods and stores exported 635,145l. ; the bills drawn on the Court of Directors amounted to 1,551,985l. ; and the sales of goods amounted to 4,572,466l.

From 1790 to 1793, on an average of three years, there was paid, for bullion exported, 466,893l. ; for goods and stores exported 935,776l. ; the bills drawn on the Court of Directors amounted to 668,366l. ; and the sales of goods amounted to 5,103,094l.

Having thus explained upon evidence, what the existing interests of Britain are in India, Mr. Dundas proceeded to examine the arguments which had been laid before him upon the subject of the open trade.

In the first place, he had been told, that the revenue might pass through the medium of the Company, though their exclusive privileges were to cease and determine ; and if this were not admitted, that the revenue might be distributed among the private merchants, and, through them, be realised in Britain, as safely, as through the Company. Before he could assent to either of these opinions, it became necessary for him to advert to the consequences of admitting them. " I am of opinion," said he, " after viewing the magnitude of the revenue and of the surplus, after discovering the degree in which the Pu-

lic is to participate of it, and after having had it proved to me upon evidence, that the Company is the most safe vehicle, through which, the remittances of this surplus can be made either to itself or to the Public; that it would be unwise to try the experiment of resorting to any other system."

"But allowing, that the open trade might become a means of realising the revenue in Britain, there were consequences both to Britain and to India, which might result from the experiment, and they would readily be foreseen by the House. If the inhabitants of Britain were to be permitted freely to emigrate to India, colonization must necessarily take place."—Mr. Dundas wished therefore, to know, whether this was an experiment that ought to be tried? And, whether the proofs which we have had, of the pernicious effects of emigration, would not be multiplied by such a measure? Setting aside, however, this probable evil, the more obvious one of the effect of colonization upon India itself, must be deliberately examined, before we can adventure to authorise it. "All the gentlemen," he said, "who have resided in India, with whom I have conversed, and all the information which I have received from those, at present in the most important stations in India, either political or commercial, agree, that an unrestrained liberty to the Europeans to emigrate to, and to settle among, the Indians, would, in a short time, annihilate the respect paid to the British character, and ruin our Indian Empire. Indeed, we have only to advert to what must be the situation of the settlers and of the natives, and we shall at once discover that this opinion has a solid foundation."

If numbers were to emigrate to India, they must find out habitations and occupations in that country. In acquiring the former, they must drive the natives from the spots, upon which they and their forefathers have lived; and in pursuing the latter, the rivalry would enhance the price of labour, to the degree, which would soon render the profits from Indian imports almost nothing. But supposing these to be only probable mischiefs, there is one which is certain, and which materially affects the preservation of our Indian Empire.—An indiscriminate and unrestrained colonization would destroy that respect, or rather eradicate that feeling, which is so general among the natives, of the superiority of the European

character. It is a fact, that upon this feeling of the superiority of the Europeans, the preservation of our Empire depends, and it is owing to the limited number of them, and to their being the covenanted servants of the Company, or licensed inhabitants, that the idea of the superiority is so general, or that it is so effectual a means of administering the Government of our provinces. "I cannot," said he, "illustrate these observations better, than by referring to the correspondence between Meer Cossim and Mr. Vansittart: the Nabob complained to this Governor, that the natives were oppressed and harassed by numbers of vagrant Europeans: thinking perhaps that the Nabob was alarmed, without reason, Mr. Vansittart replied, that these Europeans were too contemptible to deserve notice; 'They may be contemptible,' answered the Nabob, 'in your opinion, but the dog of an European is of consequence among the timid natives of this country.' If then the superiority of the European character must be maintained in India, it is impossible for us to think of authorizing an unrestrained emigration."

There is one view of the subject, which must forcibly strike every man's observation the moment it is brought before the House. Adventurers finding their hopes disappointed, and that the fortunes they had promised themselves existed only in their own imagination, being, too, without resource, might seek, and would find, employment in the armies of the Mah-rattas and of Tippoo Sultan. "Would it be wise, then, to fill the armies of our rivals in India with recruits from Europe; or can we suppose, that the open trader would conscientiously hesitate to supply the native powers with the military stores, by which their armies might first resist us, and then wrest from us the Empire which we possess?"

In the next place, Mr. Dundas stated, that he had been told, the exports of British produce would be increased, if the trade were laid open. However specious this opinion might appear, it became necessary that Parliament should know the fact, and for this purpose, he would select two or three articles, of what might certainly be considered as the principal articles of British manufacture. Woollens would be allowed to be the first of our staple commodities. It was easy for the speculator, while he merely considered the extent of our do-

minions in India, and that they were inhabited by twenty millions of our subjects, to fancy, that here he would find unbounded sales for his goods; but he reflected not, that the climate was against the wear of woollens; he reflected not that the religious prejudices of many of the casts of the natives forbade their using them; he knew not, perhaps, that the dress of the natives is as fixed and local, as their manners. It was easy also for the speculator to suppose, that in such a country as India, he could find a market for any quantity of earthen ware, but he did not reflect on the bulk of the commodity; he had not estimated the amount of the freight of it; or if he had, perhaps he did not know that the religious prejudices of many of the casts forbade their using what had been fabricated by the impure hands of infidel strangers. It was easy, in like manner, for the speculator to imagine, that if he could find a sale for his cottons in India, his riches would keep pace with his desires; but did he hope to rival his master in an art, in which he was only an imitator; or could he expect, (comparing the high price of labour in Europe with the low price of it in India) that he could undersell him there? There were some articles of Europe manufactured cottons, which, from the superior taste and elegance of the patterns, might find a sale in India, and he hoped they would increase; but from the nature of the case, the superiority of the Indian manufactures must remain with the natives. "I mention these particulars," said Mr. Dundas, "merely to moderate the expectations which have been entertained in consequence of the speculation of an open trade to India."

In the third place, Mr. Dundas observed, that it had been a favourite topic of late, to declaim against monopolies, and to confound what was truly a monopoly, with the exclusive privilege of the East-India Company. A monopoly, he observed, gives to individuals, or to associations, the power of bringing what quantity of goods they may chuse into the market, and of affixing on them whatever price their avarice may suggest. The House, however, would at once distinguish between this narrow aspect of a monopoly, and an exclusive privilege given by the Legislature to a Company, proceeding upon a capital equal to the magnitude of the concern, and subject to regulation, and to public control: This distinction



being admitted, the Legislature will not be disposed rashly to change a current which is turning the greatest wheel of British commerce, which is giving food to industry and wealth to regulated enterprise, and which is about to become, independently of what we draw from duties and customs, one of the resources of the nation.

It had been of late a fashion in our manufacturing towns, to hold meetings, and to come to resolutions, that the exclusive privilege of the East-India Company was a monopoly, and that it was for the interest of the manufacturers this monopoly should be done away. " I would wish to ask the projectors of such resolutions, whether they have examined what the Company has been, and what they now are? To whom did they owe the riches which they had acquired from the cotton manufactures? To the East-India Company! To whom had Britain been indebted for a great increase of its shipping? To the East-India Company! If from other sources our industry and navigation have been increased, the original obligation is not, on that account the less, and ought not to be forgotten. Some small gratitude is due for all these benefits.

In estimating the merits of the East-India Company, Mr. Dundas stated his wishes, that those who form a different opinion from that which he entertained on the subject, would examine accurately what was the real proportion of gain, from the India trade, received by the Proprietors of East-India stock. It ought to be remembered on this subject, that the capital is now five millions, and the whole dividend, in compensation for such a capital, and for all the risks and dangers which have repeatedly attended the trade, is not more than 400,000*l.* out of a sum of no less than 3,750,000*l.* which is portioned out among various other interests. Of this sum, the merchants and ship-owners annually receive about 850,000*l.* the charges of merchandizes amount to 350,000*l.*; the goods exported, including private trade, at the most moderate computation, do not amount to less than 1,550,000*l.* and the customs and duties paid to the Public are more than a million annually. Such being the distribution of the returns on the India trade, it would be absurd to impute to the East-India Company, any charge of receiving exorbitant gains, at the expense of the Public or of individuals of any description. In

fact, they have not received, nor are they likely to receive, the legal interest of the money, daily paid as the price of their stock. It is believed, few individuals would be satisfied with such a return on a commercial capital; and it behoves thinking men to consider well, before they allow themselves to be led away by general declamation, on topics, which are totally foreign and inapplicable to the subject.

Mr. Dundas then proceeded to call the attention of the House to the probable state of the East-India Company, supposing it possessed of no exclusive trade to India. "I am afraid," said he, "that many persons, who indulge themselves with the sanguine hope of great emoluments, arising out of an open trade to India, do not advert to the state of the East-India Company, independently of its exclusive rights. If the exclusive charter should expire in 1794, still the Company would be a body corporate in perpetuity, and entitled to trade upon its joint stock. To whom, in this case, would the most important seats of trade in India belong? To the Company undoubtedly. Under their original and perpetual charters they have legally purchased or acquired Fort St. George, St. Helena, Bombay, and Calcutta, and long before they were possessed of territories, or of the duannee. These possessions are their patrimonial property, and cannot be taken from them. Fort St. George was made a settlement by the old Company in 1620, St. Helena in 1651, Bombay in 1668, Calcutta and Fort William in 1689. Upon the whole, exclusive of the duannee, they have an unalienable right to valuable landed possessions, amounting at least to 250,000*l.* per annum. In addition to these, the whole factories and commercial establishments, both in India and in the Eastern Seas, undoubtedly belong to them. Agreeably to the principles he had already detailed, Mr. Dundas observed, that he must take for granted that the government and territorial revenues are to remain with the East-India Company, and, of course, that they must be considered as possessed of all the capital, and of the consequent advantages likely to arise from being the remitters of the public revenue, and these were equal in amount to the whole tribute which India can afford to pay to this country. Under these circumstances he might surely ask whether any individual would hazard his trade in an hostile competition with the East-

India Company? and whether it would not be rash to disturb the established system of commerce when there were forcible reasons for continuing it, and scarcely any argument in favour of a contrary system? This topic he felt to be invidious, and therefore he declined enlarging upon it; he would, however, take the liberty of suggesting to those who were disposed to pursue an investigation of this subject, whether the Indian trade of the foreign European nations did not, from its actual state, tend to confirm the opinion, that it would be unavailing in the private trader to enter into a rival competition in the trade to India against the East-India Company of Great Britain.

Before the passing of the Commutation act some of the private merchants had had an opportunity of drawing profits from a contraband trade in tea to Great Britain; but since that event this source of profit had been nearly exhausted, and he believed that those who had recently endeavoured to draw profits from it, had, from their losses, receded from the enterprise.

Having thus considered what the British India trade is as a monopoly, (if that term shall still be confounded with an exclusive privilege) Mr. Dundas took an interesting historical retrospect of what it had been when that monopoly had been interrupted. During a considerable part of the protectorate of Oliver Cromwell, he observed, that the private traders had not only been allowed to try the experiment of the India trade, but authorised by a commission, in 1654-5, to engage in it. The trade from this period to 1657, therefore, might be considered as open and free. Several circumstances had contributed to prejudice the Protector against monopolies. The most distinguished writers on trade in England had inveighed against them, and in particular against the monopoly of the East-India Company; while the authors on the same subject in Holland had defended the privileges of their East-India Companies. The disputes, too, between the Dutch and English East-India Companies, from 1620 to the treaty which Oliver dictated in 1654, probably prejudiced him against Companies of every kind. It appears, however, that, upon the trade being opened in England, the Dutch took an unnecessary alarm. In *Thurloe's State Papers* there is an interesting letter from Oliver's

Envoy at the Hague, intimating, "that the merchants at Amsterdam considered the opening of the navigation and commerce to the East Indies to be a measure that would injure the East-India Companies of Holland." Though Cromwell opened the trade for four years, the experiment soon convinced him that his own measure was as rash as the jealousies and apprehensions of the Dutch were unfounded. In three years he discovered that the Company's trade (for he did not prohibit them from a competition with the private adventurers) was almost ruined, and that the Dutch had taken the opportunity of seizing on Calicut, on Columbo in the island of Ceylon, on Manarr, and Jesnapatnam. Cromwell, therefore, in this instance, found it expedient to alter his opinion, (though that person, it will be allowed, was not in the habit of giving up his prejudices) and to restore the charter in 1657. What is singular enough, in this event, is, that the private traders themselves were the first to petition the Protector to restore the Company's charter; and what shews the rashness of the measure in the strongest degree is, that when the Company were re-established upon a joint stock of 739,782l., only 50 per cent. of this sum was subscribed for, and deemed the capital stock of the Company. If Charles II., in 1660, renewed the Company's charter, his wants, as well as those of James II., led them to grant licenses to individuals, the majority of whom became bankrupts.

A similar experiment, though to a less extent, was tried some years afterwards. In 1683, on the failure of the payment of a paltry duty, a handle was made to cut down the charter of the old East-India Company, and for a loan of two millions, at 8 per cent., the general society, or English East-India Company, was established by a charter, the terms of which gave to this incorporated body a right either to trade on their separate shares in the capital, or to unite together, as a joint stock, the shares of as many individual proprietors as chose to carry on the trade in that manner. Here, therefore, a fair opportunity was given to make the experiment of trading as private or individual adventurers, or upon a joint stock. In a short time this last method of trading was found to be so preferable a system, that, when the two Companies were united, not more than 7000l. remained belonging to the sepa-

rate traders of the general society. The inference from these events is, that not only the experience of other nations, but that of our ancestors, prove to us the danger of the speculation of an open East-India trade.

Having thus examined what the trade is with an exclusive privilege, and what it was when this privilege was interrupted, Mr. Dundas entered into an examination of the complaints which had been brought against the East-India Company. It had been said that the Company, having a capital provided for them in India, are less anxious than they ought to be in enlarging their export trade, and that thus they did not sufficiently encourage the industry of the manufacturers. It had been said, that they were not sufficiently attentive in bringing home the proper quantity of the raw materials required by our manufacturers. It had been said, that they have not provided for the remittance of the fortunes of individuals from India by means of trade, and that the effect of the inattention of the Company, in these respects, had been to create a clandestine trade injurious to the commerce, the revenues, and the navigation of Great Britain.

On the first of these subjects, Mr. Dundas observed, that since the acquisition of the territorial revenues, and particularly since the last peace, the exports from Britain had been greatly increased, and by the measures which he was to propose for the consideration of the House, he did not doubt but that the export trade would be carried on as far as the demands in India would bear.

On the second of these objections he stated, that the imports of raw materials to Britain amounted to 700,000*l.* annually; and though this might not be the quantity required, it must be allowed that the Company had made meritorious efforts. Means, however, would be proposed for enabling the manufacturer to supply himself with raw materials through the Company's ships as well as at their sales.

On the third of these objections he observed, that the difficulty of sending home private fortunes would be admitted; but that the error was in the Legislature, not in the Company. By an act of Parliament the Company were limited in their acceptance of bills to 300,000*l.* in any one year; but this error

would be done away by the plan of remitting the debts of the Company from India, and making them payable in Britain.

On the last of these subjects he observed, that it was connected originally with the error of prohibiting the remittance of fortunes from India, because these had furnished capitals to clandestine traders; but as he meant to propose that the Company should be obliged to provide shipping, at a moderate rate of freight, to carry out goods to India, for all those who might chuse to enter into the trade, and to bring home raw materials for the manufacturer, he considered that the fortunes of individuals would find an easy and a safe channel of remittance to Britain, and doubted not but that the experiment of extending the export and import trade would do away the temptations to engage in the clandestine trade, and would, in fact, annihilate it. "In this way," said Mr. Dundas, "I trust that I shall not have been found inattentive to the mercantile interests of the British nation at large, nor to those of the East-India Company. I doubt not but that the plan which I have adopted, and at last arranged with the East-India Company, will meet with the approbation of the Public. To those who have been looking to the subject, in one point of view only, and in fancy imagining to themselves the rewards of their speculations, I cannot expect to give satisfaction; but if Parliament shall disappoint them in their unreasonable expectations from speculation, it will, at the same time, in preventing them from dissipating the wealth they possess, have insured to them their fortunes, and been the guardian of the patrimony of the nation. My plan is to engraft an open trade upon the exclusive privilege of the Company, and to prove by experiment, first, how far the complaints, to which I have referred, are well founded; and next, how far it is practicable to cure the evil, without injury to the Public. We thus may not only prevent the commercial adventurer of England or Ireland from being borne down by the Company in an hostile competition, but afford to them, in their enterprises and speculations, its fostering protection."

Mr. Dundas concluded with apologising to the House for having so long detained them upon a subject, into which commercial men or commercial economists can only be supposed to enter. "But a British Legislature," he said, "have to

reflect, that our commercial resources are immense, that whatever can preserve them, or add to them, is preserving and adding to the greatness of the empire ; that in vain we shall look at the envied situation in which we are placed in Europe ; in vain we shall expect permanency of respect to the British power and character among nations, removed from us nearly half the circumference of the world ; that in vain we shall, at the expence of treasure and of blood, have founded and consolidated an Indian empire ; in vain we shall be seeking to open the markets of China for the encouragement of the skill, the industry, and the enterprize of the British artizan, merchant, and navigator ; that in vain we shall have devised a system of government, and judicial, financial, and military powers to support it—if we do not, with these efforts, listen to the claims of the Company, who have actively promoted the interest and greatness of their country ; if we do not connect with the confidence, which we propose to place in them, encouragements suited to the claims of the respectable and numerous manufacturers, whose skill, whose wealth, and whose enterprize, have seconded and rewarded their own, and the efforts of the greatest mercantile association in the world—an association who have been supported by, and are about reciprocally to support their protectors—an association who, from their spirit of enterprize and liberality of commercial principles, are ready to forward every laudable, but regulated, enterprize of their fellow subjects.

“ I own, that, next to the interests of my country, the prosperity of the East-India Company, in the management of whose business I have had my share, claims my first public regard ; and I shall feel it to be the most honourable moment of my life, if I have suggested opinions to the Legislature, leading to a system of Indian affairs, for the general advantage of Great Britain.

“ In my present statement I have referred only to an explanation of the leading principles which govern my opinion. It will readily occur to the House, that there are many points which, in detail, will require minute explanation ; I shall, therefore, without formally moving any resolutions, have them printed, and, on Monday next, submit them to the Committee, who may continue the consideration of them, from day

to day, till they shall come to a decision upon this great national subject."

Mr. Dundas then proposed the following resolutions :

" 1. That all the territorial acquisitions obtained in the East Indies, with the revenues of the same, shall remain in the possession of the East-India Company, during their farther term in the exclusive trade, without prejudice to the claims of the Public or the Company, subject nevertheless to such superintendence and control, and to such appropriations of the territorial revenues and profits of trade, as are hereinafter specified.

" 2. That Commissioners, to be appointed by His Majesty, shall form a Board, and be invested with authority to superintend, direct, and control all acts, operations, and concerns, which relate to the civil or military government, or revenues of the British possessions in India, in like manner as the Commissioners appointed by virtue of an act of the twenty-fourth year of his present Majesty, entitled, " An act for the better regulation and management of the affairs of the East-India Company, and of the British possessions in India, and for establishing a Court of Judicature for the more speedy and effectual trial of persons accused of offences committed in the East Indies," were empowered to do by the said act, or by any other act or acts of Parliament, with such farther powers, and under and subject to such other rules, regulations, and restrictions, touching or concerning the said civil government, and the appropriation of the said revenues, as shall be now made and provided by the authority of Parliament.

" 3. That the salaries and allowances, and all charges and expences attending the execution of His Majesty's commission in that behalf, shall be paid and defrayed quarterly by the said Company, on a certificate of the amount thereof, under the hand of the President of the said Board for the time being, to the Court of Directors of the said Company.

" 4. That it appears to be proper to continue the Government of the Presidency of Fort William in Bengal, in a Governor General and three Counsellors, and to continue the Government of each of the Presidencies of Fort St. George and Bombay respectively, in a Governor and three Counsellors, with such powers, and under such regulations, as by any act or acts of Parliament the Governor General, Governors, and



Counsellors of the said Presidencies respectively have been, or are invested with, for the government thereof.

“ 5. That it appears to be expedient to continue the power vested in His Majesty, to recall any of the Company's officers and servants in India, such recall being signified to the Directors, by an instrument in writing, under His Majesty's sign manual, countersigned by the President of the Board of Commissioners for the Affairs of India; and that the power of the Court of Directors to remove or recall any of the said officers or servants, be also continued.

“ 6. That it appears to be fit and proper to continue to the East-India Company their exclusive trade, within the limits now enjoyed by them, for a farther term of twenty years, to be computed from the 1st of March, 1794, liable to be discontinued at the end of such period, if three years notice shall previously be given by Parliament; subject nevertheless to the regulations hereinafter specified, for promoting the export of goods, wares, and merchandizes, of the growth, produce, or manufacture of Great Britain or Ireland, and for encouraging individuals to carry on trade to and from the East-Indies.

“ 7. That it appears to be expedient to make it lawful for any of His Majesty's subjects, resident in Great Britain, or in any other of His Majesty's European dominions, to export from the Port of London, in ships to be provided by the East-India Company, on the proper risk and account of the exporters, to any of the ports or places usually visited by the ships of the said Company, on the several coasts of Malabar and Coromandel, or in the Bay of Bengal, in the East Indies, or the Island of Sumatra, any goods, wares, or merchandizes, of the growth, produce, or manufacture of the said European dominions, except military stores and ammunition, masts, spars, cordage, anchors, pitch, tar, and copper.

“ 8. That it appears to be expedient to make it lawful for any of His Majesty's subjects in the civil service of the said Company in India, or being resident there by leave or licence of the said Company, or under their protection as merchants, to consign and put on board the ships of the said Company, bound to Great Britain, any goods, wares, or merchandize (except such piece goods as are hereinafter mentioned,) in

order to the same being imported on the risk and account of the private owners thereof, at the port of London, under the regulations hereinafter specified, so that the tonnage to be required for that purpose exceeds not the quantity of tonnage which the Company shall be obliged to provide for the private trade.

“ 9. That during the farther term to be granted to the Company, all persons, except the Company, and such as shall be licensed by them for that purpose, shall be restricted from importing into Great Britain any India callicoës, dimities, mullins, or other piece goods made or manufactured with silk or cotton, or with silk and cotton mixed, or with other mixed materials; but that if the Company, by themselves, or others under their licence, shall not import a sufficient quantity of such goods to keep the market supplied therewith, at reasonable prices, to answer the consumption of Great Britain (as far as the same are not prohibited to be worn or used therein) and for exportation, it shall be lawful for the Board of Commissioners for the affairs of India to make such regulations and restrictions for admitting individuals to import the same respectively, as the circumstances of the case may appear to them to require.

“ 10. That the Company be laid under an obligation to provide, at reasonable rates of freight, between the thirty-first day of October in each year, and the first day of February in the following year, not less than three thousand tons of shipping, for the purpose of carrying out to India the private trade of individuals, and for bringing back the returns of the same, and the private trade of other persons who shall be lawfully entitled to import the same into this kingdom; and that farther regulations shall be made for augmenting the said quantity of tonnage, as circumstances may require.

“ 11. That in time of peace the rate of freight which the Company shall be entitled to charge for the carriage of goods from Great Britain to India, shall not exceed 5*l.* per ton; and that the rate of freight which they shall be entitled to charge for the carriage of goods from India to Great Britain, shall not exceed 15*l.* per ton. And that in times of war or preparations for war between Great Britain and any European power, or under any circumstances incidental to war, or pre-

parations for war, whereby an increase in the rates of freight payable by the Company shall become unavoidable, then, and in any of those cases, the rates of freight to be charged and received by the Company for the carriage of private trade, shall and may be increased in a due proportion to the additional rates of tonnage paid by the Company for the hire of ships for their own trade, and after no higher rate or proportion.

“ 12. That persons intending to export any goods to India, shall signify the same in writing to the Chief Secretary of the Company, before the last day of August in each year, for the ships of the ensuing season, specifying therein the port or place of destination of such goods, and the quantity of tonnage required for the same, and the period when the goods will be ready to be laden or put on board; and that every person giving such notice shall, on or before the fifteenth day of September next ensuing, deposit in the treasury of the said Company the money chargeable for the freight, upon the quantity of tonnage required or specified in such notice, unless the Court of Directors shall think fit to accept any security for the payment thereof; and that every such person shall also, before the thirtieth day of October next ensuing such notice, deliver to the said Secretary a list of the sorts of goods intended to be exported, and the quantities of each of such sorts respectively; and that in default thereof, or failure in providing the goods to be shipped within the time specified in the notice for that purpose, the deposit or security taken for the freight shall be forfeited to the Company.

“ 13. That persons intending to export any goods from India to Great Britain, shall signify the same by notice in writing to the Chief Secretary of the Presidency (or to such person as shall be specially authorised to receive the same by the respective Governments abroad) within a reasonable and convenient time, to be limited by the said respective Governments for that purpose, in which notices shall be specified the sorts and quantities of goods intended to be shipped, the quantity of tonnage required, and the period when the goods will be ready to be put on board: and that every person giving such notice shall make a deposit of the whole amount of the freight upon the quantity of tonnage specified in the notice, or otherwise give such reasonable security for the payment thereof in Great

Britain, and the due performance of his engagements in that behalf, as the said respective Governments shall require; and if the persons giving such notices shall not provide their goods to be shipped within the time therein specified for that purpose, their deposits or securities shall be forfeited to the Company.

“ 14. That if any vacant tonnage shall remain not engaged by individuals, either in Great Britain or India, after the times limited for giving such notices respectively, the same, together with any other vacant tonnage occasioned by the failure or default of any persons in the delivery of their merchandize, within the period specified in their notices for that purpose, shall and may be occupied by the goods of the said Company; and that if the whole quantity of tonnage required for private trade in any year, either in Great Britain or India, shall exceed the whole quantity of tonnage which the Company are bound to provide in such year respectively, in that case the whole of the tonnage provided shall be distributed amongst the parties requiring the same, in proportion to the quantities specified in the respective notices.

“ 15. That all persons residing in India, in the civil service of the said Company, or by their leave or licence, not being restricted by their covenants with the Company, or otherwise specially prohibited by them or their Governments in India, shall be permitted to act as commercial agents, managers, or consignees, on the behalf of such persons as shall think fit to employ them, as well in the disposal of their export goods, as in providing such other kinds of goods as may by law be imported into Great Britain on their private account, without incurring any penalty in respect thereof.

“ 16. That if, upon any representation made to the Court of Directors, by or on the behalf of the private traders, of the want of a sufficient number of persons resident in India, for the conduct and management of the private trade, duly authorised and qualified for that purpose, the said Court shall fail to license a farther number of free merchants, to the satisfaction of the said private traders, it shall be lawful for the said traders to represent the same to the Board of Commissioners for the affairs of India; and that the Court of Directors shall be thereupon obliged to license a proper and sufficient number of per-

sons to reside at their settlements in India, in the character of free merchants, with the approbation of the said Board.

“ 17. That the duty of 5l. per cent. payable to the said Company, by virtue of an act of the ninth and tenth years of King William the Third, and the 2 per cent. now collected by them, on the value of goods imported from the East-Indies, or other places within the limits of their exclusive trade, should be discontinued, and that a duty not exceeding 3l. per cent. on the true and real value or sale amount of all goods imported from the said limits into Great Britain, in private trade, be granted in lieu thereof; and that the same be accepted or retained by the said Company out of the proceeds of such goods, as the contributory share or proportion of the private traders, for the expences of the said Company, in respect of the said private trade.

“ 18. That it will be proper to establish such rules and regulations, as may ensure as speedy sales (after the clearance of the ship) of the articles of silk, cotton, wool and skins, indigo, dying woods and drugs, imported in private trade, as shall be found consistent with the interests of the owners; and for so limiting the value of the lots of those articles, as that no one lot may exceed a reasonable sum to be fixed; and for entitling the owners, who shall buy in their consignments of the above-mentioned articles, to an early delivery thereof, without actual payment of the purchase monies, into the Company's Treasury, beyond the amount of the customs, duties, and charges of freight; and to provide that all other goods imported in private trade shall be deposited in the Company's warehouses, and be in like manner sold on account of the owners, at an early period, and that the prices thereof, and also of such of the said articles of raw materials as shall not be bought in by the owners or importers, shall be paid into the Company's Treasury for the use of the said owners or importers; and that the private trade, and the sales thereof, shall be managed, disposed, and conducted, according to the bye-laws of the Company, made and provided for the management of private and privileged trade, except in such respects only as shall be otherwise specially ordered and directed.

“ 19. That it is fit and proper that all restraints laid by law on the servants of the Company and other subjects of His Ma-

jeſty, and now in force, whereby they are impeded or reſtricted in the recovery of their juſt debts or other demands, in foreign parts or in His Maſteſty's dominions, in whatever mode ſuch debts may have been contracted, or ſuch demands incurred, ſhould be removed; and that the twenty-ninth ſection of an act of the twenty-ſiſt year of His Maſteſty's reign, whereby Britiſh ſubjects in India were prohibited from lending money to foreign Companies, or foreign European merchants, and from purchaſing goods or lending money for that purpoſe on any of their accounts, or furniſhing them with any bills of exchange therein deſcribed, ſhould be repealed, and that all penalties incurred by any breach thereof, for which no proſecution hath been already commenced, ſhould be diſcharged.

“ 20. That it is proper to declare that the powers and authorities of the Company, and their Governments abroad, over their officers and ſervants, and other Britiſh ſubjects reſiding under their protection in India, notwithstanding their being authoriſed and employed to act as managers or agents for private traders, ſhall remain and continue in the ſame force and effect, as if they had not been ſo authoriſed or employed.

“ 21. That it is expedient to provide that ſuch Britiſh ſubjects, as are by law reſtricted from reſiding in any other place in India than in one of the principal ſettlements belonging to the Company, or within ten miles of ſuch principal ſettlement, be alſo reſtricted from going to, or viſiting any place beyond the diſtance of ten miles from ſuch principal ſettlement, without the ſpecial licence of the Company, or of the Governor General or Governor of ſuch ſettlement or preſidency, for that purpoſe, in writing firſt had and obtained, on pain of being diſmiſſed the ſervice of the Company, and of forfeiting the licence of the Company to continue in India.

“ 22. That the Company ſhall be exempted from the claims of individuals to compenſation in reſpect to any embezzlement, waſte, loſs, or damage of their goods or merchandize while on board of the Company's ſhips, or in their warehouses at home or abroad; but the officers and ſervants of the Company, and any other perſons through whoſe means, default, or neglect any ſuch loſs or damage may happen, ſhall be anſwerable for the ſame at law to the owners; and that for

the better securing to such owners their remedy in respect thereof, the covenants and other engagements to be entered into in future by the masters and commanders, and other officers and servants of the said Company, intrusted with the care and management of the ships and cargoes, shall be made to extend to the goods and merchandize carried in private trade, and provision made to enable the owners to avail themselves of such covenants and engagements, in case of any breach thereof.

“ 23. That all the clear revenues arising from the British territories in India shall, during the farther term to be granted in the exclusive trade, be applied and disposed of in the following manner ; (that is to say) in the first place in defraying all the charges and expences of raising and maintaining the forces, as well European as native, military and marine, on the establishments in India, and of maintaining the forts and garrisons there, and providing warlike and naval stores : secondly, in payment of the interest accruing on the debts owing, or which may be hereafter incurred by the Company in India : thirdly, in defraying the civil and commercial establishments of the said Company, at their several settlements : fourthly, that there shall be issued to the respective commercial Boards of the said Company, at their several presidencies in India, in such proportions as the Court of Directors, with the approbation of the Commissioners for the affairs of India, shall from time to time direct, a sum of not less than one crore of current rupees in every year, to be applied in the provision of the Company's investment of goods in India and in remittances to China, for the provision of investment of goods there : and fifthly, that as often as any part of the said debts shall be redeemed or discharged in India, or transferred from thence to Great Britain, the Court of Directors, with the consent of the said Commissioners, shall be authorised to increase the annual advancement to the said Commercial Boards, for the provision of investments abroad, in the same extent to which the interest of the debts in India shall be reduced by such extinction and transfers, respectively, if the trade from India, and remittances to China, shall admit of, or require such annual increase ; or otherwise, that the surplus thus accruing shall be applied to the liquidation of the debts in India, or to such other uses and pur-

poses as the Court of Directors, with the approbation of the Commissioners for the affairs of India, shall direct.

“ 24. That a proportion of the debts owing by the Company in India, to the amount of fifty lacks of rupees, or five hundred thousand pounds per annum, be remitted home by bills, from the several presidencies, on the Court of Directors, at equitable rates of exchange; and in case the creditors shall not subscribe to the above amount annually, then that the Governor General in Council of Bengal shall be authorized to raise money for that purpose, by granting bills of exchange on the Court of Directors, at the like rates as for other money paid into the Company's Treasury at Fort William, and apply the sums so raised, or whatever surplus may remain, after providing for the Company's investment of goods, to the discharge of such debts, until the total of the debts bearing interest in India shall be reduced to a sum not exceeding two crores of current rupees, or two millions of pounds sterling.

“ 25. That, during the continuance of the exclusive trade to the said Company, the net proceeds of their sales of goods in England, with their profits arising by private or privilege trade, or in any other manner, after providing for the current payments of interest, and other outgoings, charges, and expences of the said Company, shall be applied and disposed of in the following manner (that is to say:) first, in payment of a dividend, after the rate of ten pounds per cent. per annum, on the present or any future amount of the capital stock of the said Company, such payment to commence at Midsummer 1793: secondly, in payment of five hundred thousand pounds per annum, the same to be set apart on the 1st day of March and the 1st day of September, half-yearly, in equal portions, and applied in the discharge of bills of exchange, to be drawn for the transfer and diminution of the debts of the said Company in India, until the same shall be reduced to two crores of current rupees, or two millions sterling: thirdly, in payment of a sum not exceeding five hundred thousand pounds in every year, into the receipt of His Majesty's Exchequer, to be applied as Parliament shall direct; the same to be set apart for that purpose on the 1st day of July and the 1st day of January in every year, by equal portions, and the first half-yearly payment thereof to be made and accounted due on the 1st day of



July 1793; and in the event of any deficiency of the said funds in any year, for satisfying such last-mentioned payments into His Majesty's Exchequer, that the same be made good out of any surplus which may remain from the said net proceeds in any subsequent year, after the payment of the annual sum of five hundred thousand pounds into His Majesty's Exchequer in each year respectively; and that when the said debts in India shall have been reduced to the amount aforesaid, and the bond debt in Great Britain shall have been reduced to one million five hundred thousand pounds, the surplus of the said net proceeds, after such provisions made as aforesaid, and after payment of a dividend after the said rate of ten pounds per cent. per annum on the said capital stock, and the said annual sum of five hundred thousand pounds into the Exchequer, and after making good all former deficiencies in the said annual payments (if any such shall happen) shall be applied and disposed of in manner following, that is to say: one sixth part of the said surplus shall be reserved and retained by the said Company for their own use, and applied in augmentation of the dividends on their said capital stock, and the residue of the said surplus shall be set apart, and from time to time paid into the receipt of His Majesty's Exchequer, to be applied as Parliament shall direct, without any interest to be paid to the Company in respect or for the use thereof; but nevertheless to be considered and declared as a collateral security to the said Company for the said capital stock, and for the dividend of ten per cent. per annum, in respect thereof, not exceeding the sum of twelve millions of pounds sterling; and that the excess of such payments (if any) beyond that amount, shall be deemed and declared the property of the Public, and at the disposal of Parliament.

“ 26. That if the Company's debts in India, after the same shall have been reduced to two crores of current rupees, or two millions of pounds sterling, shall be again increased beyond that amount, or if their bond debt in Great Britain, after the same shall have been reduced to one million five hundred thousand pounds, shall be again increased beyond that sum, then and so often as either of those cases shall happen, there shall be reserved and set apart, out of the said net proceeds, next after payment of the said dividend of ten pounds

per cent. on the said capital stock, but in preference to any other application thereof, the sum of five hundred thousand pounds per annum, to be appropriated to the reduction of such new debts respectively, until the debts in India shall be again reduced to two crores of current rupees, and the said bond debt in Great Britain to one million five hundred thousand pounds.

“ 27. That to secure to the Company at all times the means of carrying on their trade with credit and advantage, it is expedient to make provision for so arranging the payment into the Exchequer, of the aforesaid proportion of any annual balance, or surplus of the said net proceeds becoming due and payable there, as to authorize the Company to retain a sum not exceeding two hundred thousand pounds, for their current cash, for so long time, after the end of each year, as may be reasonably deemed sufficient for their receiving new monies in the course of their trade, to replace the sums so retained; and for the like purpose, that a power should be vested in the High Treasurer, or Commissioners of the Treasury, upon the requisition of the Company, to postpone any of the said half-yearly payments into the Exchequer for a reasonable time, to be limited in that behalf, on its being satisfactorily shewn to him or them that the affairs of the Company require such postponement.

“ 28. That during the farther term in the exclusive trade, the Company shall be restricted from making any other distribution of the sum of money and stock now standing upon their books, under the title of “ The Company’s separate fund” (the said sum now amounting, with interest thereon, computed to the 1st day of March 1793, to four hundred and sixty-seven thousand eight hundred and ninety-six pounds seven shillings and four pence; and the said stock, being East-India stock, to the sum of nine thousand seven hundred and fifty pounds) or any future interest or dividends arising thereby, otherwise than as hereafter is mentioned (that is to say): That after payment into His Majesty’s Exchequer of the two first instalments of two hundred and fifty thousand pounds each, which will accrue due to the Public on the 1st day of July 1793 and the 1st day of January 1794, or otherwise, after set-

ting apart a sufficient sum for such payment, it shall be lawful for the said Company, out of the said separate fund, and the growing income thereof, to make and declare a dividend or dividends, after the rate of ten shillings per cent. per annum, on the present or any future amount of their capital stock, which said dividend or dividends shall be paid and payable to the said Company, over and above any other dividend or dividends which shall become due in respect of the said capital stock.

“ 29. That it is proper to make provision for so limiting the granting of pensions, or increasing the salaries of Officers, or creating any new establishments at home, as may effectually protect the Company's funds in Great Britain from any unnecessary charges.

“ 30. That the Court of Directors of the said Company shall, within the first fourteen sitting days next after the thirtieth day of March in every year, lay before both Houses of Parliament an account, made up according to the latest advices, of the annual produce of the revenues of the British territories in India, distinguishing the same under the respective heads thereof, at their several presidencies or settlements; with the amount of their sales of goods and stores within the limits of their exclusive trade, and of all their annual disbursements within the said limits, distinguishing the same under the respective heads thereof; and the amount of their debts abroad, with the rates of interest they respectively carry, and the annual amount of such interest; and the state of their effects at each presidency or settlement, and in China, consisting of cash and bills in the treasuries, goods and stores, and debts owing to the Company, according to the latest advices; together with a list of their several establishments abroad, and the salaries and allowances payable by the said Company at each presidency or settlement, and in China: and also another annual account, made up to the first day of March next preceding the delivery thereof to Parliament, containing the amount of the proceeds of the Company's sales at home, and of their commercial and other charges and payments in Great Britain; under the several heads thereof; and of their bond debts and simple contract debts, with the rates of interest they respectively carry, and the annual amount of such interest; and the State of cash

remaining in the Treasury, and other effects appertaining to the Company, at home or afloat.

“ 31. That in the present circumstances of the East-India Company they should be enabled to raise a sum of money, by adding one million pounds capital stock to their present capital of five million pounds, so as to make their whole capital stock in future six millions; and that such addition be made by opening a subscription to the amount of the said one million pounds capital stock, at a rate to be fixed for every one hundred pounds of such capital stock, or at such rate as the Court of Directors of the said Company, with the approbation of the Commissioners of the Treasury, shall direct; and that the subscribers to the same be declared entitled to the like profits, benefits, and privileges, in respect thereof, as the proprietors of East-India stock are or may be entitled to in respect of their present stock.

“ 32. That the said Company shall apply a sufficient part of the sum to be raised by the said subscription, in the reduction of their bond debt in Great Britain to the sum of one million five hundred thousand pounds, and the residue thereof in discharge of such other debts as the Company shall think fit.

“ 33. That after the bond debt of the Company in Great Britain shall have been reduced to the sum of one million five hundred thousand pounds, the same shall not be again increased beyond that amount, except with the approbation of the Board of Commissioners for the affairs of India, signified in writing under the hands of three or more of the said Commissioners; and that any such increase of bond debt shall in no wise be made to exceed the sum of three hundred thousand pounds in any one year.”

Mr. FRANCIS began with saying that, altho' he knew that other opportunities would offer when the subject of these extraordinary propositions might be discussed with greater convenience, and especially with a more numerous attendance, than appeared at present, still he thought and felt that it would be equally inconsistent with his public duty and with his personal honour to suffer an idea to go abroad and prevail in the mind of any man, that such a speech and such a measure, as that, which the right honourable gentleman had just delivered and proposed, could have been listened to by him with patience,

or suffered to pass without instant contradiction. To a speech so methodised and prepared, and consisting of so many general heads and particular details, it is not to be expected that I can immediately oppose all the arguments and objections, which the subject might furnish, and which, with a pause for reflection, I might be able to offer to the Committee with greater accuracy and order. All I can do now is, to state the principal points as they occur to my recollection, adding only such short observations upon them as the topics immediately suggest to my mind; with one general preliminary declaration, in which I mean to include almost the whole of what the right honourable gentleman has stated, namely, that the measure he proposes, the principles he maintains, the facts he asserts, and the arguments with which he supports his propositions, appear to me to stand in direct opposition to truth, to reason, to policy, to experience, and to justice, and to be as dangerous in their application and effect as they are false and absurd in their conception. I do not apply this language personally to the right honourable gentleman, but to the monstrous scheme he recommends, and the astonishing reasons he assigns for it. As to himself, I am, and have been at all times, ready to do him justice, and to allow him the degree of merit that belongs to him. I wish he would furnish me with more frequent opportunities of commending his conduct. He unquestionably has the merit, and it is not an inconsiderable one, of having brought the internal state of the government of India fully and fairly before Parliament, particularly that branch of it which was most involved in obscurity, and which wanted elucidation most, the revenues and expences of our establishments there. I confess, too, that in former times he has had the credit of professing many sound principles, and declaring some prudent resolutions respecting the policy and practice of the British dominion in India. These principles and declarations, though barren and unproductive in his hands, will not be useless in ours. They furnish a light, which will help us to view and examine his present conduct. On my own part, I can assure the Committee that, whatever my opinions may be on the subject of India affairs, they are perfectly disinterested and impartial. To *me*, personally, it is a question of profound indifference in what manner the government and commerce of

India may be arranged and disposed of hereafter. I have neither interest nor inclination to engage in this discussion. Far otherwise. I would abandon the subject for ever, if I could. What has it been to me for many years past, but a source of altercation and enmity, of labour and vexation? But I will not consult my ease at the expence of my honour. Considering the relation, in which I have stood so long to the government of India, and the part I have acted, I cannot, without personal dishonour, submit for a moment to have it supposed possible that I could hear the things which I have heard this day without indignation, contradiction, and resistance. Before I enter farther into the subject, let me caution the Committee against a material error, into which they might possibly be led, first by an evident want of distinctness in the right honourable gentleman's speech on the points I allude to, and then by their own inattention. I mean to caution them not to confound two objects, utterly distinct, and in their nature incompatible, and which nothing but an unexampled concurrence of force and fortune, united against policy and justice, could ever have brought together. These objects are, the renewal of the Company's charter for an exclusive trade, and the continuance of the territorial acquisitions and revenues in the possession of the East-India Company. The first not only does not involve, but ought to exclude the other. It is not my intention to dispute the necessity or propriety of renewing the charter. On that subject I agree with the right honourable gentleman in principle, though I question his facts, and doubt about the practical effect of the operation. On the proposed continuance of the government of India in the hands of a Company of Merchants, I deny and protest against every thing he has said. His principles, his facts, and his arguments, are all alike, and only fit to keep company with one another. The right honourable gentleman's favourite theme to-day, the burden of his present song, is, *Why should we change, when all is well?* and this is the result of all his labours and inquiries for the last twelve years, of his Committees and resolutions, of his laws and instructions, for the better government of India. *Beware of innovations—Beware of mixing theories with practice. Speculations are uncertain; experiments may be dangerous. You are in possession of a tried form*

of government, of which you know the effects, which, in fact, has answered all the purposes of a good one. The country flourishes, the commerce prospers, the India Company are rich, and the people happy. Why should you risk the consequence of attempting to change or invade an order of things so fortunately established, and so successfully conducted? — Now what are these dreadful theories, these untried speculations, these dangerous experiments, of which the right honourable gentleman pretends to be so violently afraid? One would think that some monstrous system had been proposed to him, which politicians and statesmen had never heard of, which all the eminent writers on government had agreed to reprobate, and which, in fact, would be a novelty without example in the conduct of the East-India Company's affairs. The right honourable gentleman knows as well as I do, that in every view of the subject, whether you look to principles universally acknowledged, to authorities, or to experience, the direct contrary is the truth. Is it a novelty, is it an airy speculation to affirm that a trading company is unqualified for sovereignty, is unfit to be trusted with the government of a great kingdom; that their interests in one character are incompatible with their duties in the other; that such an interest should never be united with such a power, or that the subjects of the sovereign will certainly be sacrificed to the profits of the merchant? These propositions, Sir, instead of being new, and therefore dangerous, as the right honourable gentleman would insinuate, are trite and common. They have been affirmed and maintained by every political writer, who deserves the name of an authority, and equally by theorists and statesmen, by those who have meditated and those who have acted, ever since the principles of Government have been a subject of discussion among men. "*Nolo eundem populum imperatorem esse & portitorem terrarum orbis.*" In the time of Cicero, the Romans were treating their provinces in Asia as we have treated ours. They taxed with one hand, and monopolised with the other. They demanded from their subjects an exorbitant revenue, which they made it impossible for them to pay, first, by engrossing the produce of the lands, in character of proprietor, and then by appropriating the trade and industry of the people in quality of merchant. The right honourable gentleman at one moment pretends to be anxious to

guard you against the vulgar prejudices, commonly entertained against exclusive companies and commercial monopolies, while at the same time he does not think it beneath him to avail himself of the artificial cry and real panic, which have lately prevailed in this country to reprobate every thing to which the name of innovation, of theory, or experiment, could be truly or falsely applied. But would it, *in fact*, be an innovation to reinstate the East-India Company in their commercial character, and confine them to the pursuits that belong to it? They prospered while they were merchants, and they have never prospered since they have appeared in another character, and assumed another station. Why? Because they were qualified to be merchants, and utterly unqualified to be sovereigns. By the nature and principles of their institution, they were fitted for trade, and unfitted for government. But have they profited by their sovereignty? Have their territorial revenues been of any use to them in their corporate capacity? I do not believe it; on the contrary, I, for one, am convinced that all the difficulties, debts, and distresses, in which they have been involved, and the perpetual wars which at some periods have brought them to the verge of ruin, are owing to their being burdened with the possession of a territory, which it was impossible for them to manage and govern either for the benefit of the people, or for their own advantage; and that the regular profits of their trade, before they were connected with the internal politics of the country, were not only more secure, but greater than since they were in possession of the dewanny and sovereignty of Bengal. Their servants, it is true, as well as a multitude of other individuals, have made their fortunes out of the revenues, while the Company have been involved in enormous debts, and the Proprietors limited to inconsiderable dividends, though even these dividends perhaps were greater than they would have been strictly entitled to upon a true statement of their affairs and a regular balance of their accounts, that is, if their dividends had been limited by the surplus of their annual profits, after all the debts and expences of the year were discharged. But it seems the natives of India have uniformly prospered and been made happy under the Company's auspicious government; and this he asserts in the face of all the acts of Parlia-



ment, which have been made within these twenty years for the *better* government of India. They are delighted with the liberality and good conduct of the Company's servants, and could never bear the thoughts of being subject to any other dominion. The right honourable gentleman seriously tells us that it would wound their feelings too much, and possibly might occasion some dreadful convulsion among them, which might prove fatal to the British interests in India, if the natives were now to be called upon to acknowledge any other sovereign but the East-India Company! I can hardly persuade myself that the right honourable gentleman is in earnest, when he states these fables and fancies to the Committee as sober truths and serious propositions, fit to be urged as arguments in deliberation and motives of action to the Legislature of this kingdom. But, if he be in earnest, I can ease him of his fears. The natives of India know nothing of the Company's government, but its effect upon themselves. They know what the wealth of their country was in former times, and how it has been disposed of. Do you think that, by the same operation, so many thousands of individuals could have been enriched in England, and no man impoverished in India? Do you believe it possible that an hundred and fifty millions of the substance of Bengal could have been extracted, as they have been in one way or other, by the Company and their servants, and the people not be the poorer for it! Lord Cornwallis tells you that there is not a man of property left in the country, except a few bankers and banians in the principal towns, and that one third of the Company's territory is a jungle inhabited by wild beasts. But, alas! *it would wound their feelings* if they were not to continue under the government of the East-India Company. I know not where the right honourable gentleman has picked up this curious intelligence. When I was in Bengal I can take upon me to affirm that the natives in general had no conception of what was meant by the word *Company*. Few of them thought of it at all, and, among these, every man had a fancy of his own. With some of them a notion prevailed that the Company was an old woman locked up in a Zenana. In fact, they care but little about the matter. As far, however, as they have any idea or concern upon the subject of government, their prejudices and their ha-

bits incline them to prefer the government of a single person, with the title of Emperor or King, to any other. But the right honourable gentleman tells us it is too late, in May 1793, to think of entering upon so great an operation, and to engage in so many difficulties and details, as must attend the arrangement and execution of a new system, if the government were now to be transferred from the India Company, and vested, where it ought to be, in His Majesty's person. If the arrangement requires time, why did he not undertake the business at an earlier period? In what manner has he been employed for the last three years? Is it only *now* he knows, for the first time, that the Company's charter will expire in April 1794? What right has he to plead his own unnecessary and criminal delays to justify his present equally criminal precipitation? If the business can be no otherwise than ill done now, why did he not begin it at a time when it might have been done properly? I, for one, do not believe that his conduct, in this instance, has really been affected either by delay or precipitation; but that, whether he acts slowly or hastily, it is upon a settled plan. But what are these wonderful difficulties he talks of? He asks us what are we to do with the Company's fortifications? What allowance are we to make for them? How are we to settle with the Company for the value of their artillery, stores, and ammunition? My answer is that, if the government of the country be transferred, the defences of the country must go along with it. They were paid for out of the territorial revenues, and the Company will still have the benefit of them as long as their exclusive charter is continued. He asks us, *What will you do with the Company's private property in the lands? Would you subject the lands of the Company to any government but their own?* I do not know what property of this sort the Company possesses, nor what it is he alludes to. In the only instance he mentions he has entirely mistaken the fact. The twenty-four pergunnahs, of which he conceives the Company to be Zemindar, were indeed granted to them by a *funnud* of one of the Nabobs; but it was an act of the grossest violence and injustice. The Proprietors never relinquished their claim, and, while I was in Bengal, they were at last reinstated in their right by a resolution of the Governor General and Council, in which Mr.

Hastings and I concurred. But if the contrary were true ; if the Company had, as he says, a private property in these or any other lands, why should that circumstance create any difficulty ? They would hold them on the same terms ; they would be subject to the same laws, and entitled to the same protection with all the other landholders of the country. The right honourable gentleman seems to me to look for difficulties where there are none, as all men will do, whose inclination or interest will not permit them to do right. He says that great doubts have existed among the persons whom he has consulted, and among the authorities by which he wished to be guided ; that it is true that gentlemen, who have served in high stations in India, have sent home a mass of information, particularly Mr. Barwell, Sir Robert Chambers, Sir John Clavering, Mr. Francis, and Mr. Hastings ; that the materials and documents communicated by these gentlemen were useful and instructive, and that the best use has been made of them ; but that, as to their opinions, they never agreed in any thing. With respect to Mr. Barwell and Sir Robert Chambers I can say nothing, as I never heard till now that information or opinions, on the points in question, had been transmitted home by either of those gentlemen. It is not unlikely that Mr. Hastings, if he had known Sir John Clavering's opinion and mine on any point, might have been inclined to oppose it. But that I think might be accounted for by the particular circumstances of his situation and ours, with relation to Government and the Company. Abstracted from that consideration, I very much doubt whether Mr. Hastings's opinion and mine would be found to have differed materially on any of these general questions. I do not believe that, if he were now called upon for a deliberate opinion, he would affirm that the sovereignty of the territorial possessions ought to be exercised by a trading Company in preference to His Majesty. But of this I am certain, that General Clavering, Colonel Monson, and I, never disagreed upon any fundamental question of general policy, good government, and justice ; and that, in every thing we recommended home for future arrangement, we were of one and the same mind. But, supposing it were otherwise, does it follow that, because different opinions are entertained upon a case of great urgency and distress, you are to stand still,

and do nothing? The case is pressing. Men of distinguished abilities and long experience recommend different courses. Therefore follow none of them. Doctors differ. Let the patient perish. This is all I can collect from the right honourable gentleman's curious argument about differences in opinion, It was *his* business to select and to decide. Does he mean to confess that he is unequal to his office? The right honourable gentleman has recourse to arguments of every sort, except those which essentially belong to the subject, to engage your concurrence in the measure he recommends. To the Public he promises five hundred thousand pounds a year. To the Proprietors of India stock an addition of two per cent. to their dividend; to the Directors a continuance in their present situation, which, however nominal in point of power, and degraded in point of honour, has still, I take for granted, some secret conveniences and charms to recommend it. The shipping interest is secured of course by the renewal of the commercial charter. One monopoly follows the other. The Company's servants abroad are to have a channel provided by which they may remit their fortunes to England. In short, Sir, that no man may be dissatisfied with the right honourable gentleman's scheme, the charter of trade, which he calls exclusive, and pretends to grant to the India Company alone, is in effect laid open to any adventurer, who chuses to partake in it. All the Company have to do is to provide tonnage and warehouses for the export and import trade of individuals to and from India. I do not know that the Company will lose any thing by this participation. The trade of India, I believe, neither can be effectually engrossed, nor is it worth their keeping. But I object to the fallacy and fraud of calling it any longer an exclusive charter. The right honourable gentleman has made himself personally answerable to all the parties I have named for the specific performance of his engagements to each of them. Of his success I have many doubts; but let him perform his promises if he can. Whether they are effectuated or not, they ought to be considered, in the present deliberation, as bribes, not as arguments. The principal party of all, in this great legislative arrangement, is completely abandoned and forgotten; I mean the natives of India. He may possibly make good his promises to all the other parties,

and yet not advance a single step towards the better government of India. On that subject, I do not recollect that he has said one word. He tells us indeed that it is his intention to continue the admirable system established for the administration of the three Presidencies, that is, a single person with absolute power, and a non-effective Council with great salaries and no authority. The name of a Council, I suppose, is sufficient. You have a nominal Council abroad, as you have a nominal Direction at home, and with just as much capacity to advise as they have power to controul. Look through the whole of the right honourable gentleman's system, and you will see that the pervading essence and principle of it is, in every instance, to divide the ostensible from the real power, and to make one of them a cloak and shelter for the other.

With respect to the renewal of the Company's exclusive charter to trade to India, I have already said that I do not object to it. My doubt is, whether in effect it can be made exclusive, and whether it is even seriously intended to be what the title of the measure professes. As for the affirmative motives, which induce the right honourable gentleman to recommend a renewal of the charter, and the arguments with which he supports it, I declare I cannot at this moment recollect one of them that seemed to me to have either truth, reason, or common sense in it. First of all, the right honourable gentleman professes to be seriously and excessively alarmed himself, and to suppose that we should be so too, at the immoderate increase of influence which would be thrown into the hands of the executive power, if the patronage, inseparable from the possession of the territorial acquisitions and from the administration of the revenues of India, were directly vested in the Crown. This, it seems, would indeed be a formidable source of corruption, if left to the disposal of the King's Ministers, and a just occasion of jealousy to Parliament. But, as long as the patronage of India stands in the name of a trading Company, and is supposed to be distributed by a Court of Directors, all is safe. You have nothing to fear for the independence of Parliament. Ministers take no share in the appointments to India. The influence of the Crown is not increased. Sir, I ask you, and every man who hears me, is there any sincerity in this language? Is it a fair and honourable dealing

among men? I ask the right honourable gentleman himself, where is this dangerous patronage vested at present? Will he descend from that character of frankness which his friends attribute to him, and which he professes himself—will he submit to say that it is *bonâ fide* left to the Court of Directors to dispose of the powerful and lucrative offices of India; that Governors and Councillors, that the Judges and their train, that the Commanders of Armies, General and Field Officers, the Chiefs of Provinces, and the Collectors of Revenue, are really and unequivocally subject to the unbiassed nomination of the Court of Directors? We all know that directly the reverse is the fact, and that, in all the great and lucrative departments of Government, the Directors have no more real power than I have. Like other individuals, if they want a service or a favour, they must carry their solicitations to the fountain head, that is, to the right honourable gentleman himself, who pretends to be so much shocked at the thoughts of patronage, and at the suspicion of possessing it. Concerning the future arrangement of the immense standing army in India, the right honourable gentleman has not thought proper to say one word; yet, in that department alone, every man must know that the means of influence and favour are unlimited. Does he mean to separate the military from its dependence on the civil power, or to exercise this, as he does every other, through the medium of the Directors? But, to cure us of all our apprehensions on the subject of influence, the right honourable gentleman resorts to a distinction which, I think, would never have occurred to any but a very lively imagination. He does not positively deny that, in the disposal of the great situations and offices, to which I have alluded, the influence of Government does not predominate, or at least take a considerable share. But this petty patronage, it seems, is not worth your notice, and ought to excite no apprehension. You have nothing to fear, it would be ridiculous to be alarmed, as long as the appointment of writers is left, as he assures you it is, at the absolute disposal of the Court of Directors! At the same time the right honourable gentleman is candid enough to admit, that he certainly has interest enough with the Directors to obtain a writership, if he thought fit to apply for one. I do not doubt it. What I admire is the wit and pleasantry, with

which he exalts the importance and value of this branch of Indian patronage at the expence of the rest. All the powerful and lucrative offices of India, to which salaries and emoluments of many thousands a year are annexed, are of no moment in the question of influence, and vanish in the comparison with that important and valuable privilege, which he bountifully leaves to the Directors, namely, the appointment of writers! Now why it should be so extremely *valuable* to those gentlemen, unless they sell their nominations, I cannot comprehend. Some of them I know have been suspected of such a practice. But, in this sense, the value of the privilege is venal, and gives no influence. In my mind, the right honourable gentleman has overstated the importance of these appointments. I believe that this branch of the Company's service has been greatly overloaded. You see the numbers, who return to England with fortunes; but you hear nothing and take no notice of a far greater number, who languish in India in narrow circumstances, or perish there overwhelmed with distress. The first class, I very much fear, are not to be compared with the second. The right honourable gentleman is earnest in deprecating the imputation of wishing to increase the influence of the Crown. But he has some serious objections to the present constitution of the Board of Controul. One of the original recommendations of that Board was, that the business belonging to it would be performed by persons already possessed of some high and lucrative offices, but not attended with much occupation, whose time was disengaged, and who wanted no salaries for any service they could do, being already well paid for doing nothing. But things are altered since this doctrine prevailed. It has done its duty. The Board is established, and now the Members of it, whose services were intended to be gratuitous, must have five thousand pounds a year divided among them.

The right honourable gentleman having, in this way, secured himself against all suspicion of aiming at a dangerous influence, for himself or for Government, by means of the patronage of India, proceeds to state the inconveniences, the difficulties, and the dangers, which he conceives would follow, if the trade were laid open. On this point, I desire it once more to be remembered that I am at issue with him upon his

arguments, not upon his professed object. The renewal of the charter may be proper, may be necessary, or may be convenient, but not for any of the reasons which he has assigned. He asks us, *Would you encourage a spirit of colonization in India? Can England bear the drain of such numbers of its people as would emigrate with that view, if the trade were laid open? Would there not be a considerable probability that many of those emigrants might be tempted to quit your proper territory, and enter into the military service of native powers, and by that means prove dangerous to your own establishment?* My answer is, that the first part of the danger he alludes to is imaginary; the rest is better founded, but not all provided for by the renewal of the charter. The climate of India is of itself a sufficient security against emigration of any consequence from England, for the real purpose of colonization. The real colonist can only subsist by the labours of the field, and the cultivation of the soil. Be assured that these labours will never be performed in India, by British hands. Except persons who are in office, no man goes to India, but to gather taxes, to trade, or to plunder, that is, to make a fortune as fast as he can by any means, and to bring it away with him. The abuse, against which you are bound to provide, and which can no way be restrained but by a vigorous administration on the spot, prevails at present, and, more or less, has existed at all times,—I mean the facility, which adventurers of all sorts have found, in dispersing themselves over the country, where the licentiousness of their conduct, and the mischiefs it produces, are enormous. Of persons of this description, many, I do not doubt, have engaged in the service of the native princes. There lies the danger. The abuse is real. The mischief serious. Remove them if you can. They have grown with the Company's charter, and cannot be corrected by renewing it. The right honourable gentleman is vehement in asserting that, if the charter were not renewed, many essential advantages would be lost to this country, and to the Government, and that there is no way of securing them, but by confining the trade to an exclusive Company, and vesting that Company with the collection and management of the territorial revenues. He says truly, that the surplus of the revenue can no way be remitted home but by the medium of trade; and then he asks how is that



remittance to be made? How is Government to get their 500,000*l.* a year? How are the Proprietors to get their increased dividend, if the trade be not continued to the Company, in the form, and with the powers, with which it is now vested in them? My answer is, that if there be that surplus of revenue of which he proposes to avail himself, the amount of it might be paid into the Company's commercial treasuries in India for bills on the Company in England, and that this might be done, and every purpose of the remittance answered, just as well as it is at present, if the commerce were separated from the Government, or even if the exclusive charter were not renewed. The Company might still be the medium of the remittance. They would buy their cargoes with the money furnished them by Government on the spot, and out of the produce of those cargoes the claims of all parties in England might be satisfied. With or without the management of the territory, with or without the monopoly, the India Company might still be the channel and the instrument of this service to the Public. The same answer applies to the intended increase of the dividend, recommended in favour of the Proprietors, who, he says, have hitherto received but a very moderate profit, compared with the great capital engaged by them in this trade, and the risks to which they have been exposed. His words, I think, were, that "out of a revenue of 3,700,000*l.*," "which they brought into England, they had for their own use" "no more than 400,000*l.* a year, a sum hardly equal to the legal" "interest of their capital, considering the many risks which" "they ran." Here at last the truth comes out, because it suits an immediate purpose to confess it. The Proprietors of India stock have not profited at all by the possession of an immense territorial revenue. I for one am convinced they have lost by it. The honourable gentleman says, that the Directors are busily employed in forming some excellent schemes for improving and extending the export trade of England to India, by finding out new markets for the manufactures and staple commodities of this country; and that these beneficial plans would necessarily be defeated, if the exclusive trade were taken out of their hands. In the first place, Sir, I very much question the possibility of increasing our exports to India to any material amount, I mean with a rational security of finding a

profitable vent for them. Except military stores, ammunition, and other implements of war, with which it is 'not your true policy to furnish the Indian Princes, the manufactures of England can hardly be said to be saleable in India, beyond the trifling amount necessary for the consumption of Europeans. The Company by their charter were compelled to send out a large quantity of broad cloth every year, and there it was left to perish in the warehouses. The Select Committee of Directors, in one of their late reports on this subject, say that " they can give the Court no pleasing intelligence ; " that the advices from India on this subject present a tiresome narrative of circumstances, which prevent their progress and a profit on the sales. Too often they even state a total failure in the demand, &c. So far from the Presidencies being able to augment these sales, they complain generally of an evident decrease with respect to woollens of every denomination. Large quantities have remained for years in the Company's warehouses unfold." The Government of Bombay repeatedly tell the Directors, that they can find no purchasers, and *express much uneasiness at seeing such a quantity of cloth and long ells perishing in the warehouses year after year, after striving ineffectually to procure a sale, &c.* But supposing the contrary were true, and that the export trade to India were in its nature capable of being improved and extended, what reason is there to presume that this object might not be as effectually obtained by an open trade, as by an exclusive Company? I fear you will find that, as long as the manufactures of India are worth bringing to Europe, you must pay for them in specie. The possession of the territorial revenues has made it unnecessary to send silver to Bengal; and that I take to be one of the principal advantages we have derived from it. But, on the other hand, the export of bullion to China has considerably increased. In seven years from 1785 to 1791 inclusive, I find it stated by the Committee of Directors to have amounted to 4,352,021*l.*, or above 621,717*l.* a year. It is true the Directors tell us that the export of silver to China is likely to decrease hereafter. It may be so. At present we have facts on one side, and estimates on the other. In another part of the same report, " the Committee do not scruple to affirm, that the most lucrative and beneficial

“ mode of carrying on the trade with China from Europe is  
“ *by the export of bullion*; yet the Company have anxiously  
“ seized every opportunity of introducing British manufactures  
“ and produce into China, *notwithstanding they could have de-*  
“ *rived superior advantages from a different conduct.*” The pa-  
triotism of the present Directors is sufficient to assure us, that  
they will be at all times ready to sacrifice the interest of the  
India Company to that of the Public. But what if unfortu-  
nately they should be succeeded by persons of a more confined  
way of thinking, who may possibly feel themselves bound to  
prefer the particular advantage of their constituents to the  
commercial interests of the nation at large? Now, Sir,  
I beg leave to ask the honourable gentleman, in my turn,  
whether, if every thing he urges in favour of renewing  
the Charter were granted, is he sure that it is in his power,  
or in that of the Legislature, to make the trade to India  
really and *de facto* exclusive in the hands of the Company?  
Can he exclude Ireland from partaking in it? and would he,  
if he could, while he knows that the Bengal river is annually  
crowded with ships from America, as well as from different  
parts of Europe, navigating under foreign colours, but really  
freighted by British subjects and loaded at Calcutta with car-  
goes bought with their money, and to be afterwards smuggled  
into the British dominions? About three weeks ago, the ho-  
nourable gentleman told the Court of Directors, cavalierly  
enough, but not without reason, that “ he was not anxious  
“ about what their decision might be; being of opinion,  
“ that the grant of an exclusive commerce to India was not  
“ very material to the interests either of the East-India Com-  
“ pany or of the Public\*.”

If so, the Committee perhaps may be curious to know,  
for what reason he now insists so vehemently on the necessity of  
renewing the Charter. Was he in earnest in that declaration,  
or did he only make use of it as an artificial menace to drive the  
Directors to his purpose?

I have given you my opinion of as many of the particulars  
of the honourable gentleman's propositions, as I have been  
able to recollect. If the plan of continuing the Government

of so great a territory in the hands of a trading Company were real and effective, if it seriously meant what it professed, I should think it liable to the most serious and solid objections. But, when I know that directly the reverse is the fact, when I see the name of the Company held up as a mask and a stalking horse to shelter the operations of a real power which skulks behind it, that this power engrosses every thing, while it pretends to take nothing, I should be afraid of using unparliamentary language, if I permitted myself to say what I think of the whole measure. I mean therefore to express myself with caution, with reserve and moderation, when I say, that it is a dangerous composition of bad principles with worse practice, of absurd theories carried into execution in the most suspicious form of fallacy and delusion from beginning to end. As an operation pretending to genius or contrivance, what is it but a poor, flat, pitiful conclusion from premises that announced and demanded some grand measure, some capital arrangement, the result of deep enquiry and penetration, conducted with industry and enlightened by experience, and fit to be proposed by a statesman, to the Legislature of a great kingdom, for the better Government of another? I cannot believe it possible that this can be the plan which the right honourable gentleman has had hitherto in view. If it be, I am sure that all his ostensible labours and inquiries about Indian affairs have been completely thrown away.

Colonel MACLEOD wished to know whether the right honourable Secretary meant to propose any plan for putting the King's troops in India and the troops of the East-India Company on the same footing, and in some shape incorporating them together, so as to prevent those heart-burnings and jealousies which he knew were, most distressing to a set of men to whose brave exertions both this country and the East-India Company owe such great obligations.

General SMITH thought the right honourable Secretary would have been wanting to himself, to the Company, and to the country, if he had brought forward propositions of any other nature than those which he had done. He declared his decided opinion against an open trade, which nobody in that House seemed to think right, and observed, that so far from the Company's affairs having been better before they had terri-

torial possessions, Lord Clive's successes, he said, in 1757<sup>3</sup> were the salvation of the Company ; for had not these successes happened, they would have been bankrupt. The General said, that the possessions of the Company were in a much superior state of cultivation to those of any Nabob in the country.

Mr. FRANCIS. Sir, I must beg leave to submit a short observation to the Committee, on a topic stated and insisted on by the honourable gentleman who spoke last, as well as by others on former occasions. I have heard it asserted in favour of the Company's government in India, that the provinces under their management are infinitely better governed, and the people infinitely happier, than they are or ever were in the countries subject to the native princes ; and of the truth of this proposition, the miserable situation of the dominions and subjects of the Nabob of Oude and of the Nabob of the Carnatic, is stated as an evidence and an example. Sir, I do not mean to contend, that nothing worse than the British government is to be found in India. No positive merit is acknowledged by that concession. But I deny that the comparison stated, between the condition of our provinces and those of the Princes, who have been mentioned, is fair, or at all in point. If properly considered, it is evidence on my side. The fair and true comparison lies, not with countries governed in fact by us, and in which the authority of the prince is purely nominal, but with those which really enjoy a native government, independent of our influence. In the former, I well know, that the ostensible authority of the Nabobs, whom we appoint or support, is nothing but an instrument in the hands of British avarice, acting then without shame or restraint, because all its operations are concealed and sheltered under the shadow of a thing, which does not exist. This sort of double government, I know, in which the real power acts by delegation, and skulks behind a pretended native government, is, of all others, the most profligate, the most abandoned, and the most pernicious to mankind. But do you think you can stand a comparison with any of the Indian Governments, which are real and effective ? with that of Tippoo Sultan, for example, that barbarous tyrant Tippoo Sultan, whose whole country was full of people, and cultivated like a garden ; and who, in the course of an unfortunate war, was never deserted by one of his subjects ? I

believe, Sir, we had better be silent on this subject. A just and fair comparison with the real Indian Governments will do us no sort of honour.

Mr. DUNDAS said, that the provinces in the possession and under the management of the East-India Company, compared with those of any independent Prince in India, were perfect gardens in point of cultivation. With respect to his letter to the Directors, it was written in answer to one he received, which had not been printed; and he insisted, that what he had said in that letter corresponded exactly with what he had all along said upon the subject, that independent of an exclusive charter, the revenues and the state of the Company would enable them to divide ten per cent. and to pay beside 500,000*l.* to the country.

Colonel MACLEOD requested to know whether any thing would be done for the officers, of whom he had before made mention?

Mr. DUNDAS answered, that he should certainly wait till the arrival of Lord Cornwallis, before he should adopt any decisive line of conduct on the matter in question.

Mr. Dundas then moved the first resolution; and the Chairman having reported progress, leave was given that the Committee should sit again on Monday next.

Mr. HOBART brought up the report of the Committee of the whole House on the Vote of Credit bill, which, with certain amendments, was ordered to be engrossed.

In a Committee of the whole House upon the Tobacco Duties, a resolution, moved by Mr. Ryder, was agreed to, and the report ordered to be received to-morrow.

The House adjourned.

*Wednesday, 24th April.*

After much private business was disposed of,

Mr. Chancellor PITT said, that in consequence of the embarrassments of several commercial houses, applications had been made to him for the purpose of concerting means to support the credit of those who might be embarrassed, and who could prove that their inability to discharge the demands made upon them arose from temporary circumstances and un-

foreseen accidents. He rose now chiefly for the purpose of giving notice, that he should bring forward this subject to-morrow; but from the manner in which he should propose the measure, he did not apprehend that any debate would necessarily arise; for he should only propose a Select Committee to be chosen, and he believed they would, without much delay, be able to make a report upon which the House might afterwards safely proceed. He observed, however, that having attentively considered this subject, and having had, as he believed, the best information on it, he could not help thinking that it would be found that many persons in trade and commercial dealings had failed to discharge the demands upon them, not from want of a solid capital, but from the natural consequences of a check on circulation of credit, in time to meet a temporary pressure which singular circumstances had produced, and that time being given, with temporary aid, these parties would be found to be ultimately solvent. He should not have to trouble the House to-morrow at any considerable length upon this subject, because the Committee would be the best means of maturing it for the consideration and discussion of the House.

The bill to relieve the inhabitants of Hamlingford, in the county of Warwick, from the charges arising out of the sums recovered by certain individuals who suffered from the riots in Birmingham, was read a first time. On the question for the second reading,

Mr. TAYLOR said, he expected that many objections would be made to this bill by persons better entitled to the attention of the House than himself; if they should not, he should urge what appeared to him objectionable to the bill on the second reading.

The Vote of Credit bill for one million and a half was read a third time, and passed.

The LORD ADVOCATE of SCOTLAND moved for leave to bring in a bill to render the payment of creditors in that part of Great Britain called Scotland, more equal and expeditious. Granted.

Sir JOHN ROUS moved for leave to bring in a bill to exempt labourers in husbandry in England, who do not oc-

cupy the value of 4l. per annum, from the duty of working upon the highway, and for regulating the mode of the Surveyor's giving notice when the labourers will be wanted.

Leave was given, and the House adjourned.

*Thursday, 25th April.*

The LORD ADVOCATE of SCOTLAND brought in a bill for requiring a certain form of oath, abjuration, and declaration from persons professing the Roman Catholic religion in Scotland, which was read a first time, and ordered to be printed, and to be read a second time on Tuesday next.

Mr. Chancellor PITT said, that as an object of great importance was about to occupy the attention of the House, he should not at present enter at large on the subject of commercial credit, the state of which would require serious consideration. The propositions he should submit to the House on this subject, he thought likewise had better be postponed till the business had been examined by a Committee, which, on reflection, he thought the best mode of proceeding. He therefore moved, "That a select Committee of fifteen be appointed, to take into consideration the present state of commercial credit, and to report their opinion and observations upon it."

A Committee was then appointed agreeably to the motion.

Mr. SHERIDAN now rose, and said, that the motion which he should have the honour of submitting to the House, was one that not only involved the character of the right honourable gentleman (the Chancellor of the Exchequer) and the whole of His Majesty's Ministers, but also the character of the British nation, and therefore was of the highest importance. It had in view that of calling for an explanation of the real intent, nature, purpose, and object of the war in which we were now engaged. Such was the description of the motion with which he should preface his address to the House. In the course of the discussions which had taken place on the present war, on one subject there had been a concurrence of opinion, what difference soever subsisted on others. That the increasing power and ambitious views of France should be resisted, and our allies protected, was unanimously agreed to. On the subject of the war, three dis-



rent opinions had occurred ; the first thought it a war of necessity, but limited as to its objects. The second, in which he classed, thought that no Administration should permit the independence of this country to be in danger from the exorbitant power of France, or the rights of our allies to be invaded ; yet thinking the security of this country, and indemnification to Holland might have been obtained by negotiation, they thought the war, at the period it occurred, not necessary. A third class viewed the power of France as much less pernicious than the principles she had adopted, and abhorring the conduct of those in authority there, thought vengeance and extermination to those men and those principles were objects which this country was bound in interest and duty to pursue. He, and others with whom he had the honour and pleasure to agree, had endeavoured to draw from those gentlemen something like a definition of the extent to which their principles would or might lead them ; but from all the discussion which took place upon that subject, nothing like an explanation was given upon that point. This day, however, he was determined to put that subject to the test, and he should maintain that Ministers had abandoned the principles of the war, upon which alone they had the assistance of the moderate, and the general concurrence of the country, and the only principle they themselves were fond of professing, namely, to keep faith with our allies, to check the aggrandizement of France, and to preserve the safety of this country. If in entering upon this subject any gentleman expected that he should be brought to pledge himself in the least degree with respect to the principles or the politics of the noble Lord (Auckland), or that he should be influenced by any considerations with regard to that nobleman, such a gentleman would certainly be disappointed ; for he must frankly declare, that personally against him, or any other person in Administration, he had no ill will, but at the same time he had no hesitation in saying, that he did not respect or esteem the man ; he would say no more upon that subject, for a reason always conclusive with him, because he was not present ; all, therefore, he should say of him, he begged to be understood as speaking of His Majesty's Minister at the

Hague. In this view, he must say, that he disapproved of every memorial that noble Lord had set his name to, from the first disturbances in France, down to the signing that of the 5th of the present month, upon which the motion he should conclude with would be founded. All he was concerned in was marked by a sort of officious ostentation, which ill became the character he ought to represent. Instead of the moderate language of a Minister, desirous to shew that he was only an Ambassador, he appeared always in the style of a Viceroy, whose business it was to dictate and command. The paper with which he announced the war with France was of this haughty, arrogant style, in which he called the National Assembly of France miscreants. Such language, Mr. Sheridan said, was not only improper, but, under the circumstances of the case, inexcusable ; it was not the effect of an overpowering warmth, which frequently accompanied the animation of debate ; they were the cool, collected words of an Ambassador, who ought to have reflected that he represented His Majesty of Great Britain, and the people of England, both of whom, he was sure, would be ashamed of such expressions ; such expressions could answer no good purpose ; neither our soldiers nor our sailors would enlist the sooner, or fight the better for it ; and the people of this country ought not to be supposed to agree to use harsh words against any others who had the direction of the public force of a nation, still less that they could instruct their Ambassador to be a bluffer : such conduct would be disgraceful and ignominious. Here, to illustrate this point, Mr. Sheridan made a quotation from Vattel, on the Law of Nations, who says, that for nations at war it is necessary to observe, that they ought to abstain from all harsh expressions of hatred, animosity, or contempt of each other, &c. This, he said, appeared to him to contain so good and necessary a lesson to Lord Auckland, that in the next dispatches a copy of it ought to be sent him. With regard to the particular paper of the 5th of April, he objected to it not only on account of its particular indecency, but also on account of its opening and disclosing a new principle for carrying on the war ; a principle hitherto in this country entirely without foundation. The first translation

from the French stated, " That some of these detestable regicides are now in such a situation, that they can be subjected to the sword of the law." But from that which was now upon the table, a new colour was attempted to be given to the sentence, by saying " liable to be subjected to the sword of the law ;" this, he said, was not warranted by the original ; for the plain sense of the sentence was, that these persons might be sacrificed, because they were in the hands of the Dutch.— Again, the paper stated a recital of a former declaration, that His Britannick Majesty and their High Mightinesses would not fail to pursue the most efficacious measures to prevent the persons, who might themselves be guilty of so atrocious a crime, from finding any asylum in their respective states.— To which the Dutch gave answer, that they will refuse any asylum to such persons ; that they will drive them away ; but not one word about putting them to death. The war was declared on the 21st of January, and there the matter rested till the 5th of April, and for what reason ? Because it was not until this time the Commissioners of the Convention came into custody. It was only then necessary to say, that these regicides should be subjected to the sword of the law, which was, in other words, that they should be put to death. If Ministers said they gave no instructions for this, he said he should be perfectly satisfied, and very glad to hear it ; because then the nation would be rescued, and the infamy would only fall upon the individual. The noble Lord proceeded to state in his Memorial, that the divine vengeance seemed not to have been tardy ; upon this he had only to observe, that we were engaged in a war, which for our safety we had pursued, to the accomplishment of its originally avowed object ; and with respect to the divine vengeance, from motives of respect, decorum, and piety, we ought to be silent. The Memorial was as follows :

**MEMORIAL** presented on the 5th of this month by the British and Imperial Ministers to the States General.

Hauts et Puissans Seigneurs,

Il est connu que, vers la fin du mois de Septembre de l'année dernière, S. M. Britannique & V. H. P. ont donné de concert l'assurance solennelle, que dans le cas, où le danger imminent qui menaçoit dès-lors les jours de L. M. Très-Chrétiennes & de leur famille se réalisât, S. M. & L. H. P. ne manqueroient pas de pren-

dre les-mesures les plus efficaces, pour empêcher que les personnes qui se seroient rendues coupables d'une crime aussi atroce, ne trouvaissent aucun asyle dans leurs états respectifs. Cet événement, qu'on pressentoient avec horreur, a eu lieu; & la vengeance Divine paroît ne s'être pas long-tems fait attendre. Quelques-uns de ces détestables régicides sont déjà dans le cas de pouvoir être soumis au glaive de la loi. Les autres sont encore au milieu du peuple, qu'ils ont plongé dans un abîme de maux, & auquel le famine, l'anarchie & la guerre civile préparent de nouvelles calamités. Enfin, tout ce que nous voyons arriver, concourt à nous faire regarder comme prochaine la fin de ces malheureux, doht la démence & les atrocités ont pénétré d'épouvante & d'indignation tous ceux qui tiennent aux principes de religion, de morale, & d'humanité.

En conséquence, les Souffignés soumettent au jugement éclairé & à la sagesse de Vos Hautes-Puissances, si elles ne trouveroient pas convenable d'employer tous les moyens qui sont en leur pouvoir, pour défendre l'entrée de leurs Etats en Europe ou de leurs Colonies à tous ceux des Membres de la soi-disante Convention Nationale, ou du prétendu Conseil Exécutif, qui ont pris part, directement ou indirectement, audit crime, & s'ils étoient découverts & arrêtés, de les faire livrer entre les mains de la justice pour servir de leçon & d'exemple au genre humain.

*Fait à la Haye, ce*

*5 Avril, 1793.*

(Signé)

AUCKLAND,

LOUIS C. DE STARHEMBERG.

#### TRANSLATION.

##### High and Mighty Lords,

It is known that towards the end of the month of September, last year, His Britannic Majesty and Your High Mightinesses gave, in concert, a solemn assurance, that in case the imminent danger which then threatened the lives of their Most Christian Majesties, and their family, should be realised, His Majesty and Your High Mightinesses would not fail to take the most efficacious measures to prevent the persons who might render themselves guilty of so atrocious a crime from finding any asylum in your respective dominions. This event, which was foreseen with horror, has taken place, and the Divine vengeance seems not to have been tardy. *Some of these detestable regicides are already in such a situation that they may be subjected to the sword of the law.* The rest are still in the midst of a people whom they have plunged into an abyss of evils, and for whom famine, anarchy, and civil war are preparing new calamities. In short, every thing that we see happen, induces us to consider as at hand the end of these wretches, whose madness and atrocities have filled with terror and indignation all those who respect the principles of religion, morality, and humanity.

The Underigned, therefore, submit to the enlightened judgement and wisdom of Your High Mightinesses, whether it would not be proper to employ all the means in your power to prohibit from entering your States in Europe, or your Colonies, all those Members of the self-titled National Convention, or of the pretended Executive Council, who have, directly or indirectly, participated in the said

crime; and if they should be discovered and arrested, to deliver them up to justice, that they may serve as a lesson and example to mankind.

*Done at the Hague, this*

*5th of April, 1793.*

(Signed)

AUCKLAND,

LOUIS C. DE STARHEMBERG.

[The translation above given is the same with that originally inserted in most of the newspapers; from which the translation presented to the House of Commons differs, by substituting for the sentence printed in italics—*Some of these detestable regicides are already in the case to be liable to be subjected to the sword of the law*—and for wretches, *Malheureux*, unhappy persons.]

These men were delivered up by the treachery of Dumourier, and Lord Auckland recommended to the Dutch, that they might be murdered and assassinated. He wished to know if it was possible for a more horrid principle to be entertained, or one, if followed up, more likely to be attended with more horrid consequences. Could we suppose that the French would not retaliate? What then would result, a general massacre of all prisoners of war. Such sentiments were odious to any man possessing the least feeling of humanity. The fate of those people it seemed was to be a lesson and example to mankind. He was sure the people of this country detested such lessons and examples. It reminded him of a proclamation recommending the extermination of America during that war, and while the noble Lord (Auckland) was commissioner there, and to which there was a very sensible protest, which was supposed to be the production of a right honourable gentleman (Mr. Burke) now in the House. This was drawn after the able speeches of Mr. Fox, Mr. Powys, and others in that House, and the Duke of Grafton and Duke of Richmond in the other, and was signed by a great number of the first persons in this country. This protest admirably explained the fatal effects of attempting the destruction or dismemberment of an empire. Here Mr. Sheridan read the protest, and then observed, that he wished this also to be sent in the next dispatches to Lord Auckland. But again to return to the paper of the 5th of April, Mr. Sheridan said, he objected to it for a reason which was independent of the general ground he had already stated; it was that of declaring all peace with the people of France utterly unattainable, until there should be dictated, according to

the desire of the combined powers, a certain form of Government to France. Were we, he asked, at war with the nation of France at this moment? If the principle on which we proceeded to the war was followed, he would say that we were not at war with the nation of France. The object we professed to have in view was accomplished; and we should negotiate with those who had the direction of the public force. Of what use was it for us to call their armies a banditti of robbers, and their mariners pirates? at last we must negotiate with them, or go the length of destroying them altogether; a fruitless and a vain attempt. Was it the object, or was it not, of this war, on our part, to assist the conspiracy to dictate a form of Government to France, or totally to destroy the whole nation? He wanted a plain explicit answer. Let the Minister speak fairly out upon that subject. The people of England ought to know what were the views of the Minister upon this war, and to what extent it was to be carried, that they might not be proceeding under a delusion. Supposing we had gained our original purpose, he wanted to know how peace was to be obtained, without negotiation with those who have the exercise of Government. If we countenanced the memorial of Lord Auckland, we should say, that the whole National Convention—all the Members of the districts—in short, about eight or nine millions of people, must be put to death, before we can negotiate for peace. Supposing that we were to join the conspiracy to dictate a form of Government to France, he then should wish to know what sort of Government it was that we were to insist on. Were we to take the form of it from that exercised by the Emperor—or that of the King of Prussia—or was it to be formed by the lady who so mildly conducted the affairs of Russia—or were they all to lay their heads together, and, by the assistance of the Pope, dictate a form of Government to France? Were the French to have a Constitution, such as the right honourable gentleman Mr. Burke was likely to applaud? Indeed he feared, that this was not yet settled, and there were various specimens of what had been already thought of by different powers. There were two manifestoes of the Prince of Cobourg, the one promised the form of Government chosen by themselves, in which they agreed to have a monarchy, and afterwards in the course of

four days, this promise was retracted in consequence of the accession of Dumourier to the confederacy—what would the right honourable gentleman, (Mr. Burke) say if they should not give the French the form of the Constitution of Poland, or would he content himself with saying, they ought not to have such a constitution? He believed that neither the Chancellor of the Exchequer, nor any of his supporters, would say any thing at present upon that subject. It appeared however somewhat mysterious, perhaps, that after the congress at Antwerp, in which Great Britain was not unrepresented, that the intention of the combined powers had altered, and that a much more sanguinary mode was to be pursued against France than had been before intended, and perhaps the time might come when the parties might follow the example set by the manifesto of the Duke of Brunswick, and affirm that these were threats which were not intended to be carried into execution. But this was not the way to amuse us. The people of England would not long be content to remain in the dark as to the object of the war. Again he must ask what was the object of the war? Again he must ask what was the object of our pursuit in conjunction with the other powers against France? Was it to restore the ancient tyranny and despotism of that nation? This would please some people, he knew, particularly emigrants, but nothing would be so hateful to the people of this country, or any other where there existed the least love of freedom; nor could any thing be more destructive to the tranquillity and happiness of Europe. Were we to join Dumourier in a declaration not to rest until we had put to death those detestable regicides, calling themselves philosophers, and all the miscreants who had destroyed all lawful authority in France? If we were, he would venture to say, this would be a war for a purpose entirely new in the history of mankind, and as it was called a war of vengeance, he must say, that we arrogated to ourselves a right which belonged to the Divinity, to whom alone vengeance ought to be left. If the Minister said, that on our part there was no intention to interfere in the internal Government of France, he must then ask what were the views of the other powers, with whom we now acted in concert against France. Was it to make a partition of France, as they did of Poland? or should he be told, that as far as re-

garded the affairs of France under the present power, he was talking of none who ought to be mentioned as a people; that the *Sans Culottes* were too contemptible a race to be mentioned; he would say, he meant to ask what was to become of the whole nation of France? If he was told that it was impossible for the crowned heads, acting in concert upon this great occasion, to have any but just and honourable views, he would answer that the subject was of too much magnitude to be allowed to pass in such a manner, and in his suspicions he was justified by the example, and fortified by the observation of an honourable gentleman (Mr. Jenkinson) with respect to the father of the present Emperor, that no man ought to take his word for one hour. No material alteration, he believed, had taken place in the views of that Court since the death of that Prince, nor of others in the present confederacy. Were we to forget that the King of Prussia encouraged the Brabanters to revolt, and then left them to their fate? Were we to forget the recent conduct with respect to Poland? Were we to forget the taking of Dantzic and Thorn! Indeed he thought, that those who every day told us in pompous language, of the necessity there was for Kings, and of the service they did to the cause of humanity; they should at least have spared the Public the pain of thinking of these subjects, by not entering into the views of that unnatural confederacy. Indeed it was impossible for him to dismiss the consideration of Poland, without adverting to an eloquent passage in the work of a right honourable gentleman, who was an enthusiastic admirer of the late revolution there. Here Mr. Sheridan quoted the following passage of Mr. Burke's Appeal from the Old to the New Whigs:

The state of Poland was such, that there could scarcely exist two opinions, but that a reformation of its constitution, even at some expence of blood, might be seen without much disapprobation. No confusion could be feared in such an enterprise; because the establishment to be reformed was itself a state of confusion. A King without authority; nobles without union or subordination; a people without arts, industry, commerce, or liberty; no order within; no defence without; no effective public force, but a foreign force, which entered a naked country at will, and disposed of every thing at pleasure. Here was a state of things which seemed to invite and might perhaps justify bold enterprise and desperate experiment. But in what manner was this chaos brought into order? The means were as striking to the imagination, as satisfactory to the reason,



and soothing to the moral sentiments. In contemplating that change, humanity has every thing to rejoice and to glory in; nothing to be ashamed of, nothing to suffer. So far as it has gone, it probably is the most pure and defecated public good which ever has been conferred on mankind. We have seen anarchy and servitude at once removed; a throne strengthened for the protection of the people, without trenching on their liberties; all foreign cabal banished, by changing the Crown from elective to hereditary; and what was a matter of pleasing wonder, we have seen a reigning King, from an heroic love to his country, exerting himself with all the toil, the dexterity, the management, the intrigue, in favour of a family of strangers, with which ambitious men labour for the aggrandisement of their own. Ten millions of men in a way of being freed gradually, and therefore safely to themselves and the state, not from civil or political chains, which, bad as they are, only fetter the mind, but from substantial personal bondage. Inhabitants of cities, before without privileges, placed in the consideration which belongs to that improved and connecting situation of social life. One of the most proud, numerous, and fierce bodies of nobility and gentry ever known in the world, arranged only in the foremost rank of free and generous citizens. Not one man incurred loss, or suffered degradation. All, from the King to the day-labourer, were improved in their condition. Every thing was kept in its place and order; but in that place and order every thing was bettered. To add to this happy wonder (this unheard-of conjunction of wisdom and fortune) not one drop of blood was spilled; no treachery; no outrage; no system of slander more cruel than the sword; no studied insults on religion, morals, or manners; no spoil; no confiscation; no citizen beggared; none imprisoned; none exiled: the whole was effected with a policy, a discretion, an unanimity and secrecy, such as have never been before known on any occasion; but such wonderful conduct was reserved for this glorious conspiracy in favour of the true and genuine rights and interests of men. Happy people, if they know to proceed as they have begun! Happy Prince, worthy to begin with splendor, or to close with glory, a race of patriots and of Kings: and to leave

A name, which every wind to heav'n would bear,  
Which men to speak, and angels joy to hear.

To finish all—this great good, as in the instant it is, contains in it the seeds of all farther improvement; and may be considered as in a regular progress, because founded on similar principles, towards the stable excellence of a British Constitution.

Here was a matter for congratulation and for festive remembrance through ages. Here moralists and divines might indeed relax in their temperance to exhilarate their humanity.

Such, Mr. Sheridan said, was the description which the right honourable gentleman gave to that revolution; was it to be supposed, that he would afterwards say, that this ought to have been trampled upon and destroyed, or should suffer such an event to happen, and never utter a word upon the subject;

he did not think that Monarchs of the present day had fulfilled the promises that some persons had made, and which had been expected from them, so that their names might be handed down to posterity as a glorious example of integrity and justice! With respect to the future views of the different powers, they might best be conjectured by what had already happened. The Empress of Russia, upon the sincerity of whose motives, and integrity of whose actions, there could be no doubt, previous to the attack on Poland, among other things in her manifesto, said by her Minister—

“ From these considerations, Her Imperial Majesty, my most gracious mistress, as well to indemnify herself for her many losses, as for the future safety of her Empire and the Polish dominions, and for the cutting off at once, for ever, all future disturbances and frequent changes of Government, has been pleased now to take under her sway, and to unite for ever to her Empire, the following tracts of land, with all their inhabitants.”

This was the language for which the confederates were to justify perhaps the future taking under their sway, and uniting for ever to their empire, part of the dominions of France.— We had heard much of the abominable system of affiliation adopted by the French; but this was a Russian impartial affiliation, and no doubt the confederate powers approved of it.— In like manner will they affiliate all France, if they can. So will they England, when they have it in their power; and he was sorry to say, that if we joined in that infamous confederacy, and the people agreed to it, England would deserve to be so treated. The Empress then proceeded to state what she expected for the favour she had conferred—

“ Her Imperial Majesty expects from the gratitude of her new subjects, that they, being placed by her bounty on an equality with Russians, shall, in return, transfer their love of their former country to the new one, and live in future attached to so great and generous an Empress.”—

On an equality with Russia! This was a glorious equality, liable to be sent to Siberia with other Russian slaves. For this mighty favour they were to transfer, as naturally might be expected, the whole love they had for their native country, to

Russia, their new and happy land—for the same Minister of this equitable and generous Empress proceeded to say,

“ I, therefore, now inform every person, from the highest  
 “ to the lowest, that, within one month, they must take the  
 “ oath of allegiance before the witnesses whom I shall appoint;  
 “ and if any of the gentlemen, or other ranks possessing real  
 “ or immoveable property, regardless of their own interest,  
 “ should refuse to take the oath prescribed, three months are  
 “ allowed for the sale of their immoveables, and their free  
 “ departure over the borders; after the expiration of which  
 “ term, all their remaining property shall be confiscated to the  
 “ Crown.”

Really after such specimens, one would have supposed, but for the well-known character of the Council of these confederate powers, they were actuated by madness, or they would not thus think of insulting the feelings of human nature.—But this was not all; mere gratitude was not enough—an oath, it seemed, must be taken, for—

“ The Clergy, both high and low, as pastors of their  
 “ flocks, are expected to set the example in taking the oath;  
 “ and in the daily service in their churches, they must pray  
 “ for her Imperial Majesty, for her successor the Great Duke  
 “ Paul Petrovitz, and for all the Imperial family, according  
 “ to the formula which shall be given them.”

Here again there was evidence of a great and good mind, for this pious Empress was determined, that perjury should be very general in her dominions, and that the example should be set by the Clergy!—Mr. Sheridan then proceeded to take notice of the conduct of the great and good King of Prussia with respect to Dantzic, as specified in what he called his reason for taking possession of part of Poland with his military forces.

“ It would certainly militate against the first rules of a sound  
 “ policy, as well as the duties incumbent on us for the pre-  
 “ servation of tranquillity in our state, if, in such a state of  
 “ things in a neighbouring great kingdom, we remained in-  
 “ active spectators, and should wait for the period when the  
 “ faction feel themselves strong enough to appear in public;  
 “ by which our own neighbouring provinces would be exposed  
 “ to several dangers, by the consequences of the anarchy on  
 “ our frontiers.

“ We have, therefore, in conjunction with her Majesty  
“ the Empress of Russia, and with the assent of His Majesty  
“ the Roman Emperor, acknowledged, that the safety of our  
“ states did require, to set to the Republic of Poland such  
“ boundaries which are more compatible with her interior  
“ strength and situation, and to facilitate her the means of  
“ procuring without prejudice of her liberty, a well ordained,  
“ and active form of Government, of maintaining herself in  
“ the undisturbed enjoyment of the same, and preventing by  
“ these means the disturbances which have so often shaken her  
“ own tranquillity, and endangered the safety of her neigh-  
“ bours.

“ In order to attain this end, and to preserve the republic of  
“ Poland from the dreadful consequences which must be the  
“ result of her internal division, and to rescue her from her  
“ utter ruin, but chiefly to withdraw her inhabitants from the  
“ horrors of the destructive doctrine which they are but too  
“ prone to follow ; there is, according to our thorough per-  
“ suasion, to which also her Majesty, the Empress of all the  
“ Russias, accedes in the most perfect congruity with our in-  
“ tentions and principles, no other means, except to incor-  
“ porate her frontier provinces into our States, and for this  
“ purpose immediately to take possession of the same, and to  
“ prevent, in time, all misfortunes which might arise from  
“ the continuance of the reciprocal disturbances.

“ Wherefore, we have resolved, with the assent of her  
“ Russian Majesty, to take possession of the above-mentioned  
“ districts of Poland, and also of the cities of Dantzic and  
“ Thorn, to the end of incorporating them to our State.

“ We herewith publicly announce our firm and unshaken  
“ resolution, and expect that the Polish nation will very soon  
“ assemble in the Diet, and adopt the necessary measures to  
“ the end of settling things in an amicable manner, and of  
“ obtaining the salutary end of securing to the republic of  
“ Poland an undisturbed peace, and preserving her inhabi-  
“ tants from the terrible consequences of anarchy. At the  
“ same time we exhort the States and inhabitants of the di-  
“ stricts and towns which we have taken possession of, as al-  
“ ready mentioned, both in a gracious and serious manner,  
“ not to oppose our commanders and troops, ordered for that

“ purpose, but rather tractably to submit to our Government,  
“ and acknowledge us from this day forward, as their lawful  
“ King and Sovereign, to behave like loyal and obedient  
“ subjects, and to renounce all connection with the Crown of  
“ Poland.”

Now, after this, Mr. Sheridan said, he wished to know whether any robbery that had been committed by the most desperate of the French, or whether any of their acts, were more infamous than this? Of what consequence was it to any man whether he was plundered by a man with a white feather in his hat, or by one with a nightcap on his head? He said, that if there could be any difference, the solemnity with which the thing was done was an aggravation of the insult. The poorer sort of the French could plead distress, and could also say that they had endured the hardships, the toils, and the perils of a winter campaign. But here was nothing but a naked robbery, without any part taken in the calamity which gave birth to it. He had alluded to these things merely for the purpose of giving the Minister an opportunity of disapproving of them: he hoped he should not hear the principle avowed. Crowned heads, he thought, were at present led by some fatal infatuation to degrade themselves and injure mankind. But some, it seems, regard any atrocity in monarchs, as if it had lost its nature by not being committed by low and vulgar agents. A head with a crown, and a head with a nightcap, totally altered the moral quality of actions—robbery was no longer robbery—and death, inflicted by a head wielding a pike or swaying a scepter, was branded as murder or regarded as innocent. This was a fatal principle to mankind, and monstrous in the extreme. He had lamented early the change of political sentiments in this country which indisposed Englishmen to the cause of liberty. The worst part of the Revolution in France is, that they have disgraced the cause they pretended to support: however, none, he was persuaded, would deny that it was highly expedient to know the extent of our alliance with powers who had acted so recently in the manner he had represented, and to have the object of our pursuit in this war distinctly known. The Minister may perhaps in future come down to the House and say he is sorry, but it has become highly necessary to interfere with the power of Britain farther, as the crowned ladies and gen-

tllemen of Europe cannot agree about the partition of France, or that such a disposition is about to take place, that we shall be worse off than if we had let France remain as it was. Those who feared the attachment of men to French principles, argued wrong; from the effect of the experiment they would never be popular; nothing but crimes and misery was the result of all the accounts from that country. If the peasant had been represented happy and contented, dancing in his vineyard, surrounded with a prosperous and innocent family—if such accounts had come, their principles would have been gladly received; at present we hear of nothing but want and carnage—very unattracting indeed. More danger, he thought, arose from a blind attachment to power, which gains security from the many evils abounding in France. On the same principle that Prussia divided Poland, he contended, they might act here. They declared a prevalence of French principles existed in Poland: His Majesty's proclamation asserts the same here, and is therefore, in this sense, an invitation to come and take care of us. Could such despots love the free constitution of this country? On the contrary, he was persuaded that, upon the very same principle that Poland was divided, and Dantzic and Thorn subjugated, England itself might be made an object for the same fate as soon as it became convenient to the confederates to make the experiment: he would defy any man to shew the principle upon which a difference could exist with regard to us and the other sacrificed countries in the wishes and desires of the combined powers. But supposing this to be out of all question, and that this country had nothing to dread in that respect, and that all Europe had nothing to look to but the extermination of the French principles, how would the present prospect of our success then appear? Could we entertain so vain a hope, (indeed he was astonished to hear it even hinted) that the French, who had all the winter been lying in the snow some times, and wading up to their necks in water at others, in an enemy's country, fighting for their principles, will, in their own, submit to give them up in a mild season? The thought was too absurd, and the expectation too extravagant, to be harboured by a man possessed of a spark of rationality. It was upon these grounds he asked what were the lengths to which Ministers intended we should go on with the present

war. From all the circumstances of the memorial presented by Lord Auckland to the States General, and the dispositions of our allies, as indicated by their late conduct, it behoved this country to come to a distinct understanding on the subject of the nature of our alliances, and the objects of the war. This, he thought, would best be obtained by proposing a solemn disavowal and reprobation of the views and dispositions indicated in the memorial of Lord Auckland, and a condemnation of that paper. Our situation required him to be explicit on every thing that excited caution ; the state of commercial credit was as alarming as unexpected ; the list of bankrupts was unprecedented — as many as five hundred commissions had issued in the short space of time the present Chancellor had held the seals. After ten years peace, we had not reached our peace establishment, and our revenue had never exceeded seventeen millions. A deficiency in our revenue must now be expected, and he had heard that it was already perceptible to a prodigious extent. He hoped he should not be represented as depressing our spirits, and raising those of our enemies. In making these observations it was necessary to be explicit, and not to under-rate the difficulties we must of necessity encounter. Ministers, therefore, should not be too much elated at the great and unexpected success of our allies, and enter too easily into their views ; on the contrary, he wished them to avail themselves of fortunate occurrences as soon as possible, to extricate this country from the evils of war. He concluded with moving,

“ That an humble address be presented to His Majesty, to  
 “ express to His Majesty the displeasure of this House at a cer-  
 “ tain memorial, dated the 5th of April, 1793, presented to the  
 “ States General of the United Provinces, signed by the right  
 “ honourable Lord Auckland, His Majesty’s Minister at the  
 “ Hague, the said memorial containing a declaration of the  
 “ following tenor : — ‘ Some of these detestable regicides,’  
 “ (meaning by this expression the Commissioners of the Na-  
 “ tional Convention of France, delivered to Prince Cobourg  
 “ by General Dumourier) are now in such a situation, that they  
 “ can be subjected to the sword of the law ; the rest are still in  
 “ the midst of a people whom they have plunged into an abyss  
 “ of evils, and for whom famine, anarchy, and civil war, are

“ about to prepare new calamities. In short, every thing that  
“ we see happen induces us to consider as not far distant the  
“ end of these wretches, whose madness and atrocities have  
“ filled with horror and indignation all those who respect the  
“ principles of religion, morality, and humanity.

“ The undersigned, therefore, submit to the enlightened  
“ judgement and wisdom of your High Mightinesses, whether  
“ it would not be proper to employ all the means in your  
“ power to prohibit from entering your dominions in Europe,  
“ or your colonies, all those Members of the Assembly styling  
“ itself the National Convention, or of the pretended Execu-  
“ tive Council, who were directly or indirectly concerned in  
“ the said crime; and if they should be discovered and arrested,  
“ to deliver them up to justice, that they may serve as a lesson  
“ and example to mankind.’

“ To acquaint His Majesty of the sense of this House, that  
“ the said Minister, in making this declaration, has departed  
“ from the principles upon which this House was induced to  
“ concur in the measures necessary for the support of the war,  
“ in which the British nation is at present unfortunately en-  
“ gaged, and has announced an intention, on his part, incon-  
“ sistent with the repeated assurances given by His Majesty,  
“ that he would not interfere in the internal affairs of France;  
“ and for which declaration this House cannot easily be  
“ brought to believe that the said Minister derived any autho-  
“ rity from His Majesty’s instructions.

“ Humbly to beseech His Majesty, that so much of the said  
“ memorial, as contains the declaration above recited, may be  
“ publicly disavowed by His Majesty, as containing matter in-  
“ consistent with the wisdom and humanity which at all times  
“ have distinguished the British nation, and derogatory to the  
“ dignity of the Crown of this realm, by avowing an intention  
“ to interpose in the internal affairs of France, which His Ma-  
“ jesty has, in so many declarations, disclaimed, and mingling  
“ purposes of vengeance with those objects of defence and se-  
“ curity to ourselves and our allies which His Majesty’s Mi-  
“ nisters have so often declared to be the sole object of the pre-  
“ sent war.

“ To represent to His Majesty, that this House has already  
“ expressed its sense of the acts spoken of in the above declara-



“ tion ; but that as neither this, nor any other foreign state,  
“ can possess any cognizance or jurisdiction respecting them,  
“ the only tendency of menaces against their perpetrators is,  
“ to compel this country either unjustifiably to carry on war  
“ for the subversion of the present Government of France, or  
“ disgracefully to seek peace by an ignominious negotiation  
“ with the very Government whom we have thus insulted and  
“ stigmatised in our public acts.

“ That these threats must tend to give to the hostilities with  
“ which Europe is now afflicted a peculiar barbarism and fer-  
“ rocity, by provoking and reviving a system of retaliation and  
“ bloodshed, which experience of its destructive tendency, ho-  
“ nour, humanity, and religion, have combined to banish from  
“ the practice of civilised war.

“ And finally, to represent to His Majesty how deeply the  
“ reputation of His Majesty's Counsels is interested in dis-  
“ claiming these unjustifiable, and, we trust, unauthorised de-  
“ nunciations of vengeance, so destructive of all respect for the  
“ consistency, and of all confidence in the sincerity of the pub-  
“ lic acts of his Ministers, and so manifestly tending at once  
“ to render the principle of the war unjust, the conduct of hos-  
“ tilities barbarous, and the attainment of honourable peace  
“ hopeless.”

Mr. Chancellor PITT said, when he compared the notice which had been given by the honourable gentleman with the speech he had just made in support of it, he was assured he must shew great disrespect to his known talents, when he declared his astonishment that his promised motion for a removal, and afterwards for an impeachment against Lord Auckland, was only an invective against the Empress of Russia, the King of Prussia, and the Emperor ; and when he came to speak, very shortly, on the real question, he made a direct attack on His Majesty and the Government of this country, on that House, on Parliament, and on the sentiments of the nation at large. The honourable gentleman objected to the memorial delivered by Lord Auckland to the States General, because, he said, it amounted to a departure from the principles on which the war, in which we were engaged, was commenced ; and the honourable Member contended, from the words of the memorial, that this must either be a war of extermination, or that we

must submit to a dishonourable peace. Now neither the one nor the other of these imputations arose out of the words of the memorial. Was there one word in the memorial that conveyed a wish that the war should be carried on till all those who had any concern in that horrible act (the execution of the most Christian King) should be brought to punishment? No; there was not. That there should be made an example, if possible, of those who were guilty of that horrid act, he believed to be the general and sincere wish of all good men who had the smallest concern for the happiness of mankind. But they did not engage in the war with that object. Why? Because they were not called upon to execute justice against them; and because it was not politic to enter into war for vengeance, on account of crimes which were not committed in this country. But, although this was not the professed object of the war, they were not to abate in their vigilance for the safety of mankind. And as this was one of the most horrid crimes, it ought to be made a singular example of vindictive justice; so that even distant ages might feel when they reflected on this horrid act. That House had agreed to afford no assistance, no protection to those who should be guilty of it; and this was done before they were at war with France, even before they knew they should be at war with that nation: and if they happened to be at war with France for other causes, was it less proper to express their just indignation, which they might have done in time of peace, against a transaction which had excited the detestation and abhorrence of all Europe? Mr. Pitt observed, that gentlemen were continually adverting to the causes of their entering into war, and considering what degree of provocation had been given on the part of France — what resentment and outrage committed against ourselves, should or should not induce this country to commence a war against France. But while they were discussing that principle, the circumstance that arose was, that France had declared war against this country. He conceived this country was justly entitled to proceed on the war against France, to repel her unjust attacks, and, if possible, to chastise and to punish her, and to obtain indemnification for the past, and security for the future. These were the principles on which they engaged in the war. These were the principles they must look to in carrying it on,

and which they must keep in view at its conclusion.. What was there in this memorial that had varied the cause of the war, or that affected the conclusion of the peace? Gentlemen said, we could not treat with those whom we had branded with opprobrious epithets. If that was matter of charge against Lord Auckland, it was also a charge against that House, and against every man who had concurred with that declaration, from which no man could withhold his consent whose mind was not devoid of every sentiment of justice, humanity, and religion. Would any man say that the act of delivering up to justice any of the regicides of France carried a stronger reproach than the language contained in every message from the Crown, and in every address which had taken place on this subject. It would be matter of sincere lamentation if those who had been guilty of that act remained in possession of the supreme authority. But they were not pledged by that memorial to more than they were by their own determinations. The memorial did not state that we must give up to justice eight or nine millions of persons who might have been either directly or indirectly consenting to the execution of the King. He had no difficulty in saying, that he supposed that a large part of the nation did not consent to the death of the King. To imagine that they did, he conceived contrary to all probability. He could not possibly comprehend how it could be supposed that the memorial went to the extermination of eight or nine millions of men, when there was not one word said on the subject. He said he next came to consider what the meaning of that paper was upon which the honourable gentleman was to support a criminal accusation against Lord Auckland. The honourable gentleman was extremely minute and critical on the translation of a particular sentence of this memorial. He thought it would not be very just, on the dry construction of a sentence, to vote for the removal of the noble Lord, and, secondly, to impeach him. He contended that the noble Lord had rendered the most essential services both to his own country and to our allies. The honourable gentleman, by cavilling about the words of a translation, contended, that the Commissioners were to be delivered up to instant justice. It was observed in the memorial, that some of those who were concerned in the death of the King were now in a situation

in which they might be brought under the sword of the law; and then the honourable gentleman's inuendo was, that this meant the five Commissioners who were sent to Maastricht. It did not appear that they were in the custody of the Dutch, nor was it likely that they would ever be in their custody. But in consequence of the conduct and promises of M. Dumourier, it was very generally believed that a Counter-Revolution would soon take place in France; and that it was natural that some of those who now exercised the supreme authority might be obliged to fly into this country, and that we ought to deliver them up to justice. They ought not to impute blame where it was their duty to acknowledge merit, nor should they follow persecution where they ought to avow gratitude. The natural sense of this memorial was, that Lord Auckland thought that some of those persons who were guilty of the murder of the late King might soon be in a situation, if there was a Counter-Revolution established, and tribunals of justice erected, to be brought before such tribunals. He did not mean that either the Dutch or the Austrians were to punish the French regicides. He wished to know what there was in this that was contrary to the laws of humanity, and to the established principles of the law of nations? Who would retract the principles upon which such a proceeding is founded? In the case of a crime so horrid, so extensive in its consequences, as well as so detestable in its nature, it was the duty of indifferent nations to make themselves ministerial in endeavouring to deliver up the culprits to a competent tribunal for disobeying the laws of their country, by those who had been lawfully constituted. He believed there were some crimes merely of positive institution, in which we ourselves had gone to the extent of requiring that the guilty should be delivered up. This had been done in the case of forgery, as well as of other crimes, though he believed it was no part of the law of this country to deliver up criminals. In the days of our penitence in this country a memorable fact took place, which had some similarity to the present subject. They were then condemning an Ambassador of England for having suggested the idea to the Dutch, that they should deliver up to justice all French regicides that were found in their dominions. There was a time when an English Ambassador applied to the States General,

and applied with effect, to deliver up some regicides. To this country they were brought; in this country they were tried, and in this country they were executed. They would be guilty of duplicity if they were to accuse Lord Auckland, who had only acted on their own principles, which had been previously declared; and when they were stated, there was not found a tongue bold enough to utter a word against them, nor a heart obdurate enough to wish to oppose them. First of all, it was the general feeling in the breasts of men of honour, that those who were absent were at least entitled to some degree of candour, and to some degree of protection; and more particularly so, those who were absent in the service of their country. He did not mean to say that was a ground to exempt a man from punishment, provided crimes had been proved against him. To the recent services of the person who was the subject of this accusation this country was considerably indebted, and he had a right to say that this proceeding was pregnant with every feeling of injustice. There were various other subjects, he said, introduced into this discussion, and which it was not his intention to pursue: they operated deeply in his mind, and that was, what could be the inducement of the honourable gentleman in bringing forward this motion? He believed every gentleman put that question to his own mind. He had thought upon two or three things, but none of them was a cause sufficient for making the motion: what appeared on the surface was, that this was a motion to censure Lord Auckland for having pressed with great warmth that, on the very first opportunity, some means might be taken to give effect to those sentiments which the Parliament and the Nation had expressed against those who had been guilty of great crimes. He could not suppose the honourable gentleman was actuated by any personal animosity, because he had disclaimed all such motives. He could not suppose that the honourable gentleman had been heaping up spleen and resentment against an individual for seven or eight years till he had an opportunity of bringing it forward. He could not suppose it was brought forward because the noble Lord had discharged his duty abroad for seven or eight years, and the honourable gentleman, equally performing his duty, had counteracted at home what the other did abroad. He could not conceive the motion was brought for-

ward to do honour to the noble Lord, or that it proceeded from generosity or friendship. He was therefore, perhaps, not for the first time, at a loss to know the motives of the honourable gentleman. He had entered into a system of continental politics, and not applying to any particular question but in a way to avoid the question. The honourable gentleman wished that we should not co-operate with other powers for our own safety, because in another quarter some of those powers might have exercised measures in which we had taken no share, or given any approbation to. He was perfectly ready to admit that unjust measures were as hostile to his mind when adopted by crowned heads, as when they were adopted on the part of a republic. He was to look to the extent of the world at large, and to compare it with the progress of that system, which, if it had not been in part checked already, and if it should not be checked by their perseverance in future, would be a thousand times more dangerous, rise as high as you please, swell the charge as much as you please, heighten the picture as much as you can, than all the dangers which could possibly arise from the worst systems of ambition that were ever pursued. The present war was directly aimed against your independence, your security, and your Constitution. It was a system of anarchy and confusion, and he did not wish to dwell upon it. Let the present partition of Poland be as odious as it might, (he nor no man could speak of it without disapprobation) the present partition of Poland was not more odious than the last; and though the Empress had a share in the last partition, the right honourable gentleman (Mr. Fox), and those near him, did not think it a disgrace for this country to be connected with her. They were to consult their own safety, and were not to attend to the character of their allies, as resulting from other collateral points. This was no reason why we should not co-operate to a just end, to resist the operation of French power, and to carry on the war with that vigour and effect which might lead to the conclusion of a sure and honourable peace, to obtain indemnification for ourselves for the past and for the future, to have a reasonable security for ourselves and for the rest of Europe.

Mr. FOX said, the right honourable gentleman had attempted to defend the memorial on the only ground on which

a defence could have been expected—on its want of any definite meaning. In his usual mode of alluding to past transactions in the House, he had charged his honourable friend with putting off his motion for the purpose of taking new ground, although he knew that his honourable friend had put it off at the request of friends who wished to be present at the discussion, and who could not attend on the day for which he had first given notice. With respect to the motives and feelings which the right honourable gentleman had taken the trouble of imagining for his honourable friend in making this motion, his honourable friend could have but one motive, his sense of public duty; and the noble Lord, whose conduct was the cause of it, could excite no feeling but of the most placid and most tranquil nature. The right honourable gentleman had defended the memorial on the ground of its meaning nothing at all; but he had not ventured to say that it had no reference to the Commissioners of the French Convention put into the hands of the Austrians by Dumourier, on the hopes entertained of Dumourier's plan. The memorial said, that these Commissioners were in a situation to be subjected to the sword of the law:—to what sword—of what law? To the sword of any law which those to whom they were delivered, not as prisoners, but hostages, might frame for their execution? If it meant to the sword of some law to be revived or established in France, why was not that qualification inserted in it? Lord Auckland's communication to the States General in September had never received the sanction of the House, and therefore the House would be guilty of no inconsistency in condemning it. The purport of that communication was simply, that if any act, then generally apprehended and universally deprecated, should be committed, the perpetrators of it would not be sheltered from the laws of their country in His Majesty's dominions. But what did my Lord Auckland? He, not as a measure of prevention, not as a warning to deter, but on a principle of vengeance, obviously tending to provoke retaliation, and, in the very first instance, to endanger the lives of the survivors of the Royal Family of France, suggested subjecting to the sword of the law persons given as hostages for their safety. What was the motive of his honourable friend in moving to censure this conduct? To obtain the reprobation

tion of the House against making the war more bloody, and the contest more cruel. If the conduct of the French to Frenchmen had excited abhorrence, if they had shewn a disposition unjustly and wantonly to shed blood, now was the time for the House to shew detestation of their disposition and their practice, by expressing their detestation of this memorial. Another motive for his honourable friend's motion was, to obtain a clear and explicit declaration of the subject of the war. The right honourable gentleman had said, that this was wholly unconnected with the internal Government of France; but at the same time he expressed a wish that, in making peace, we might not have to treat with those persons who now exercised the powers of Government in that country. The real object, according to the right honourable gentleman, was to obtain an indemnification for their unjust aggression, and security for the peace of Europe in future. From this he learned that indemnification and security might, in the contemplation of the right honourable gentleman, be gained from those *malheureux*, whether wretches or unhappy persons; for to drive them from the Government was not an object, but a wish. With whom then, when the hour of negotiation came, might we have to treat? With those very men whom, in our memorials and public acts, we were now stigmatising with every vilifying and opprobrious epithet. Hard words he had always thought imprudent, more especially when applied to persons of whom it was possible we might afterwards have occasion to speak in very different terms. With those very persons the right honourable gentleman had treated through M. Chauvelin, and had boasted of sending instructions to Lord Auckland to treat with them, even after the murder of the King. Would the right honourable gentleman now refuse to treat with them, if an occasion, consistent with the avowed object of the war, should offer? No such declaration would he venture to make. Lord Auckland then, if he should be continued in his present situation, might be, from local circumstances, the most convenient person to employ to treat with them. But what would the Frenchman say? Supposing him to forget all the hard words, all the odious terms formerly applied to him, he would very naturally say, What! treat with Lord Auckland? No; he has declared he will hang me if he can catch me, and there-



fore I will not put myself in his power. The answer to all this was, that the paper was only the too-sanguine effusion of imaginary success, and meant only that when a tribunal should be established in France, agreeable to the fancy of the combined powers, the Members of the Convention and the Executive Council would be subjected to the sword of the law — the memorial ought to have said so; for it was giving but little encouragement to those now in the exercise of Government in France to think of negociation, to tell them that to get hold of them, or their agents, and to hang them, was one and the same thing.

His honourable friend had introduced the conduct of Russia, Prussia, and the Emperor, which the right honourable gentleman had treated as having no connection with the subject. Was it indeed so immaterial? If we were engaged in a war on the usual principles of war, the cause ascertained and the object definite, we might indeed avail ourselves of the assistance of powers for the attainment of that object, whose views were very different from our own. But if, as the memorial implied, we were at war with persons, not with the nation, and had thrown away the scabbard, it was of great importance to consider whether or not their object was the same as ours — whether, while our aim was reparation and security, theirs was not aggrandizement; whether, while we sought only to remove certain persons from the Government of France, they did not look to the partition? Of crowned heads it was always his practice to speak with respect; but the actions of their Cabinets were fair matter of discussion. Under this qualification he had no difficulty in saying, that the late conduct of Russia and Prussia was ten thousand times more reprehensible than any part of the conduct of France towards other nations. Of the former partition of Poland he had never spoken but in terms of reprobation; but the present was more odious than the former, inasmuch as it was marked by the most flagrant breach of faith, and the violation of the most solemn declarations. Prussia, it was notorious, had encouraged the revolution in Poland, and expressed the most decided approbation of seating the family of Saxony on the hereditary throne. That very revolution, was now made the pretext for entering Poland, and forcibly seizing on Dantzic and Thorn.—

Russia entered Poland, declaring that her only object was to restore the republic which the revolution had subverted; and having gained possession of the country, in contempt of all her former declarations, she proceeded to divide it with Prussia and the Emperor. Strong, however, as was his reprobation of such conduct, he had never said that we ought on that account to reject a useful alliance with either of those powers; but that while we professed to be fighting against one species of tyranny, we ought to be careful not to set up another tyranny more dangerous. What was the answer to this? Declamation against the horrid tendency of French principles, the subversion of all order, and the introduction of anarchy. When we argued against principles, let us not confine our view to the mischief they might occasion, but consider also the probability of their being established. Were three or four maniacs to escape from Bedlam, and take possession of a house, the mischief they would do in it would probably be much greater than that of as many robbers; but people knew the improbability of their getting into that situation, and very properly guarded their houses, not against madmen from Bedlam, but against robbers. Just so was it with the probability of French principles gaining the ascendancy. Anarchy, if it could be introduced into other nations, was in its nature temporary—despotism, we know by sad experience, to be lasting; the present Emperor was but little tried; but if, as generally happened, the systems of Cabinets were more to be attended to than the characters of Princes, we had seen the Cabinet of Vienna repeatedly promising to the Austrian Netherlands the restoration of their ancient Constitution, and as often refusing to fulfil its promise; we had seen the late Emperor promise that restoration under our guarantee as the price of their return to allegiance; we had seen him refuse it when he again got possession; we had seen Lord Auckland protest against the refusal, and afterwards most shamefully accede to it; and we had seen the Governors of the Netherlands making their escape by one gate, while the French were entering at another, declare the restoration of that Constitution; as if the moment when they were compelled to resign possession, was the only fit moment for restoring the rights of those whom they were sent to govern. If, in all this, there were any symptoms of good faith to give us confi-

dence, the Prince of Saxe Cobourg's proclamations were sufficient to destroy it all. In the conduct of the three Courts, we should find all the crimes of France towards other nations, committed in a more unjustifiable manner. But the right honourable gentleman said, these were only topics to induce us to refuse the assistance of those Courts. If the object of the war were distinct, we might indeed accept of their assistance with safety; but while all was doubt and uncertainty, how could we pretend to know what were their views, or what they expected as the price of their assistance? We were now acting in concert with the dividers of Poland.—We ourselves were the dividers of Poland; for while we were courting them to aid us in a war against French principles, we furnished them with the pretext, and afforded them the opportunity of dividing Poland. We were the guarantees of Dantzic, of which Prussia, our ally, had taken possession—said we not, when the French attempted to open the Scheldt, that we were the guarantees of the exclusive navigation of the Scheldt to the Dutch?

———— Mutato nomine de te  
Fabula narratur. ———

Prussia was the other guarantee; but regarded guarantees as little as the French, when Dantzic and Thorn were to be annexed to his territories. What was this but teaching the people that the professions of Courts were mere delusions—that the pretext for the war was the danger from French power, and French principles; but the cause, to gratify the ambition of other powers. How were we ever to make peace, when we were not agreed upon the terms with those who assisted us in the war? Regard for the christian religion was one of the reasons alledged for dividing Poland; regard for the christian religion might be alledged for dividing France. He did not understand that we paid any subsidies, and in one point of view he was sorry for it. We should then understand for what we had engaged. As the case stood at present, how did we know what Prussia or the Emperor might require of us? As Russia had taken part of Poland, might not the Emperor take a fancy to Bavaria and the Palatinate? And thus the difficulties of making peace become greater than those of carry-

ing on the war. Add to this, that if rumour or regard to ancient policy could be trusted, Spain would not consent to the dismemberment of France. If we were making war against principles, let us but look to the principles of the two Imperial Courts, and of Prussia, and we should find them more dangerous to the liberty and peace of mankind, than even those of France. The mode of getting out of this situation, was, by agreeing to the address, censuring Lord Auckland, and thus convincing the other powers of Europe, that we would not be parties to their plans for dividing kingdoms. It was indeed matter of great doubt, whether or not peace for Europe could now be obtained for any great length of time; the encouragement we had given to the robbery of Poland, might be expected to inflame the passions of avarice and ambition.— There was however one nation, viz. Spain, which had a common interest with us, and with which he wished to see a cordial union against the dangerous aggrandizement of the Imperial Courts and Prussia. All our victories in the present war had been obtained by their arms exclusively, and every victory gave fresh cause of jealousy. To agree to the address would have another good effect—It would satisfy the people, that the reasons for the war, and the pretext, were the same; and that there was not one language for the House of Commons, and another for the Hague.

Mr. Chancellor PITT explained, that although indemnification for an unjust aggression, and future security, were the objects of the war, he did not mean to say, that if an opening for removing the persons who now exercised the powers of government in France from that situation, should present itself, we were not to take advantage of it.

Mr. FOX said, he understood the object of the war to be as stated, and the removal of the persons who now exercised the powers of government in France to be only a wish.

The question being loudly called for, strangers were ordered to withdraw; after which,

Mr. CURWEN congratulated the House on the effect of Mr. Sheridan's motion. He contended that the object of it was completely gained; that Lord Auckland's memorial had been in substance disavowed by the Minister; and the old

ground of the war again brought forward. He therefore wished much that Mr. Sheridan would not divide the House.

Mr. SHERIDAN said, it was indifferent to him whether the House divided or not. He certainly considered the main object he had in view as completely gained in the Minister's explicit disavowal of the principles attempted to be introduced into the war by Lord Auckland, which must have made peace impossible.

Mr. WHITMORE insisted that the House should divide, because he had no faith in the profession of Ministers.

The House divided ;

Ayes, 36 ; Noes, 211.

The House adjourned.

*Friday, 26th April.*

The order of the day being read, to take into consideration the amendments made by the Lords in the Traitorous Correspondence bill,

Mr. STEEL said, that several persons who wished to discuss this subject were absent, on account of a Committee upstairs, on the embarrassment of public credit ; he should therefore move that this order be discharged ; which being done, the discussion was appointed for Monday next.

Mr. CURWEN moved, " That the bill, as it came from the Lords, and now stood for discussion, be printed."

Mr. STEEL opposed this motion, upon the ground that the objection made the other day to that proposition was sufficient. He said he saw no necessity for printing these amendments.

Mr. TAYLOR said, that the reason for moving that this bill be printed, was a very good one ; for the bill was so materially altered by the Lords, that unless each Member of the House went to the other to borrow copies of their Lordships, it would be impossible to form an adequate opinion of the bill. He believed, if the Members of the House looked ever so attentively at the bill, they would not, except as matter of history, know it to be the same bill as that which was sent up into the House of Peers.

Mr. CURWEN said, that by looking at the bill, there was too much reason for the observation of the honourable gentle-

man who spoke last, and he must add, that unless the bill was printed, the House could not possibly understand the amendments.

Lord GEORGE CAVENDISH said, that considering this bill from first to last, it was the most extraordinary measure he ever saw in that House, or ever heard of. Both in principle and provision, it was of the most alarming character as a legislative act. It struck at the best and the fundamental principles of the constitution of this country. If that House were to vote upon the amendments made by another House, it was fit they should know what it was they voted. His Lordship was decidedly in favour of printing this bill, as a thing highly necessary.

Mr. CAWTHORNE opposed the motion for printing the bill ; he considered it as a matter of delay.

Mr. WHITBREAD said, there certainly was no delay intended by this motion, nor could it produce any ; for the bill might be printed to-morrow, and would be ready on Monday, and the House knew that the consideration of the bill was already deferred to that day. That was not the real objection to the printing of the bill. The truth was, that certain gentlemen wished it should not be printed, in order that it should pass with as much obscurity as possible.

The House divided ;

For the printing, 16 ; Against it, 41.

The House adjourned.

*Monday, 29th April.*

Mr. WINDHAM, on the bringing up of the report of Mr. Mudge's petition, entered into the general merits of the question on it ; in the course of which he gave a history of the case, and made an able speech in favour of the general principle of giving public encouragement to merit. He obviated all the objections which he had heard urged against the application of Mr. Mudge, to whom, as an artist, he gave the highest character. He concluded with moving, " That the  
" report now before the House be referred to the consideration  
" of a select Committee, to examine the matter contained  
" in it, and also that they do make inquiry into the principles  
" of Mr. Mudge's time-piece, and report their opinion upon

"the merit of it to the House." Mr. Windham gave a list of the gentlemen whom he wished to compose that Committee. Mr. Chancellor Pitt, Mr. Fox, Mr. Ryder, Sir George Shuckburgh, Mr. Gregor, Mr. Windham, Sir Gilbert Elliot, and Mr. Bragg.

Mr. WILBRAHAM opposed the motion, upon the general ground that this was a subject fit for the inquiry of the Board of Longitude.

Mr. COURTENAY, by an able speech, supported the motion.

Mr. J. H. BROWNE opposed the motion, upon the idea that it would be an improper interference of the House with the affairs of the executive Power.

Sir G. SHUCKBURGH said a few words; after which the House divided;

For the motion, 101; Against it, 30.

The report of the select Committee appointed to inquire into the causes of the present embarrassment of the commercial credit in this country, was brought up by Mr. Chancellor Pitt. It detailed the information given by different gentlemen who attended the Committee for that purpose; all agreeing that some speedy means should be devised to support the general commercial credit of the country, by public aid. It stated, that it would be necessary, for that purpose, to issue Exchequer bills for five millions, at twopence halfpenny per cent. per day, &c. &c. The report being read at the table,

Mr. Chancellor PITT called the attention of the House to the report of the Committee appointed to inquire into the state of the commercial credit of this country at the present moment, which the House had just heard read; he said that he had no doubt that the House was deeply impressed with the importance of the subject of the report, which alluded to circumstances of great moment, and therefore he wished that the report should be printed; but as the nature of the case to which it referred required as much expedition as possible, he should suggest the propriety of its being taken into the consideration of the Committee of the whole House to-morrow. It should be printed so as to be ready to be delivered to each Member this night or early in the morning, so that gentlemen wishing to make themselves masters of its contents, might do so before the subject

was brought forward for the discussion of the House. He then moved, "That this report be taken into consideration to-morrow."

Mr. JEKYLL said, he did not rise to oppose the expedition proposed by the Chancellor of the Exchequer, because he had no doubt that expedition was necessary in the present state of this country. The state of credit was alarming indeed, and if he could assent to any measure that would tend to relieve it, he could not think that such a measure could be too much accelerated. But although this was his opinion, he could not help thinking that there was some degree of blame on those who had the care of the executive Government, with respect to the cause of that melancholy report which the House had heard read—a report which he considered as the knell of our commerce. He wished to call to gentlemen's attention and recollection, and particularly that of the Chancellor of the Exchequer, as also to every individual in that House who had formed an opinion, that the paper circulation of this country, through the medium of country banks, would, if not guarded against, be the ruin of our paper credit. Perhaps some of these gentlemen would now be induced to ask the Minister, why some such measure as the present had not been sooner brought forward, and why the Chancellor of the Exchequer had not long ago moved for a Committee similar to the present? If he were asked why he did not bring it forward sooner, or any other person thinking as he did, the answer was a very short and a very plain one.—They had no means of knowing the real state of the paper currency, but the Officers of Government had; they might know these things to a certain extent, from the number of stamps issued for the purpose; and they might know, particularly the Chancellor of the Exchequer, from a book, out of which he had quoted so much, (Dr. Adam Smith's, on the Wealth of Nations) that there should be some balance between the specie and the paper currency of a country. These things were under the knowledge of Government completely, as far as regarded the great public paper that was issued, and under their control too. With respect to the inferior paper, that must be got at by applying to the amount of that miserable source of revenue adopted by the Chancellor of the Exchequer, the duty on bills and notes. These evils had been observed by him and



by others on former occasions ; but they had not proposed any remedy, because, as he had said before, they had not complete information upon the subject. It was not many weeks ago when he appealed to that House upon what he thought would be the effect of the present war. He had asked what would be the feeling of the manufacturer—what the feeling of the merchant—what the feeling of the farmer—what the feeling of the mechanic in any branch—what the feeling of the labourer—what, in short, would be the general sense of the Public, if this war was carried on ? Instead of being fairly answered, he was received as if he had uttered treason. Now he would ask these questions which ought before to have been answered.—What now was thought of this war ? What did the labourer, the manufacturer, and all ranks of people now say on the subject ? Was it now popular ? He was confident that if the real sense of all the people were taken at this hour, a mighty majority of them would declare it to be the most unfortunate, indeed calamitous, event this country had ever been engaged in. It was but a few hours ago that he had received intelligence, that one manufacturer in the west of England had very nearly been compelled to stop the whole of his manufactory, the consequence of which would have been, that three thousand persons employed in that manufactory must have starved. Mr. Jekyll proceeded, and said, that the report now before the House he considered as containing matter of blame to His Majesty's Ministers, who must long since have seen the calamities by which the people of this country were so justly alarmed at this awful moment. He trusted the remedy, late as it came, would be the best which the nature of things was capable of affording ; but he could not help observing, that it was not, on the first view of it, the most respectable thing for Government to take in pledges like a common pawnbroker, nor would it add to the national dignity to have three blue balls at the door of the Commissioners who were to act under the proposed plan, shewing that they were to take in pledges, for that appeared to him to be the spirit of the present proposed measure. He wished the whole scheme might not appear to be founded on mistaken principles in the outset, and attended with degradation in the future.

Mr. DRAKE justified the war in which we are engaged, and trusted that the measure now proposed would be adequate to the end expected.

Major WHITMORE insisted that the present war was a very unpopular one. He was proceeding to ask Mr. Chancellor Pitt whether, on the part of this country, a treaty was signed with the Prince of Hesse, or some German Prince, when he was reminded by the Speaker that there was no subject of that nature before the House.

Mr. FOX said, that he did not intend to make any opposition to going into the proposed Committee; but if, at the present moment, he forbore to do so, he trusted that would not be construed into his giving any kind of assent to the measure. He agreed with his honourable friend behind him (Mr. Jekyll) that, taking the evil and the remedy together, it involved matter most important to the country, and of very delicate and difficult discussion: it seemed to him a business of a very anomalous nature: nor had he ever heard of a system in any shape similar, having been hitherto adopted or thought of. But, although he could not feel disposed to give it his assent, yet he confessed, that under the present most alarming circumstances, as to mercantile credit, he wanted nerves to give it a decided opposition. In such a case, he would be apt to be somewhat diffident of his own opinion, if opposed by those who had occasion to bestow more time and attention on the subject, for whose opinions he entertained respect, and who might be better qualified than himself to form a judgement as to the probable effect of the measure with respect to commercial credit: he rose, therefore, chiefly for the purpose of saying, that it did by no means appear clear to him, at first sight, that the remedy proposed would be effectual for the purpose intended; and that, as it was, in his opinion, a measure of very considerable difficulty and danger—he hoped it would receive a full and deliberate discussion when brought forward to-morrow. Whether the present calamitous state of commercial credit was or was not owing to the war, was surely a matter not capable of proof; but, seeing the coincidence betwixt them in point of time, those would unquestionably be rath, on the other hand, who should pretend to say decisively, that they have been totally unconnected. He begged to warn that House

and the Public, that there ought to be a considerable degree of confidence as to the good effect of such a measure as the present, before it should be adopted: if the Executive Government is to interfere in such a case, may you not be beginning a system, where you do not see the end of it? If the sum now proposed to be raised should be found insufficient—are you to stop? These were points for the consideration of the House, and he conceived it to be a very serious moment: he confessed he felt a reluctance to a measure so novel and important, and he trusted that every possible information would be brought forward upon the subject. As it was to come under consideration to-morrow, he knew it was not necessary to debate it then; but he wished to throw out, in general, such observations as struck him. Government would not surely make any advances, without sufficient pledge or security; and if so, he would wish to know, why the Bank of England should not do what was now proposed to be done for them? It was their interest to use their money to advantage; and he had no doubt it would be their wish to support general credit. There were, however, other difficulties, and those of another kind; Constitutional difficulties as well as commercial ones. The appointment of the Commissioners would necessarily create a great and new influence; their powers, like all other powers, must be liable to abuse; and of such a possible abuse, how dreadful would be the consequence? For all the commercial houses in the kingdom must necessarily be under the power of that commission. In such case, whatever confidence may be reposed in those gentlemen who may be appointed Commissioners, there must still be a degree of jealousy: and, admitting that every possible measure should be taken to obviate any danger which may arise, either from the mode of appointing these Commissioners, or from the exercise of their power; there would necessarily remain, after all, a degree of power at which a free Constitution must tremble. He was afraid, too, of the connection which this measure would introduce, betwixt Government and the trading and mercantile interests of the country, because he had ever held it to be a just principle, and one universally laid down, that commerce will flourish, not in proportion to its connection with, but to its separation from, the Executive Government. He concluded with re-

peating, that he trusted the measure would not be adopted, unless it should appear absolutely necessary; that, if it should appear necessary, every possible attention would be paid to it, in its progress, so as to render it as little objectionable as possible; and that, at all events, proper provision would be made to render it only a temporary expedient—to continue only during the urgency of the present pressure.

Mr. Chancellor PITT said, that he certainly conceived it would be more satisfactory to delay going at all into discussion on the subject, till it should come properly under the consideration of the House to-morrow; and he felt the less inclined to enter into any such discussion, because no opposition seemed to be given to the going into it on so early a day as to-morrow. He proceeded to state the unanimous opinion of the Committee as to the great importance of dispatch; this he did not state, with any view to prevent that full discussion which the importance of the subject certainly required, or to say that it might not be stopped, if it should be thought wrong; but for the sole purpose of impressing on the minds of gentlemen how necessary it was that it should be expedited without delay, in case it should ultimately appear to be right. The subject was undoubtedly important, and he wished the real extent of the danger to be felt, with the view of leading to an effectual remedy: he was happy to say, that he had the utmost confidence that an expeditious and effectual remedy may be applied. On some occasions the urgency of particular instances must outweigh general principles, and the present was of that kind. It had been said, that trade best flourishes when disjoined from and unconnected with Government; but it ought here to be distinguished, that no control over the operations of trade is proposed, but only that, by a temporary advance, the credit of the merchant may be supported, and the means afforded him of carrying on his own schemes in his own way; nor is any facility afforded to rash or wanton speculations. He concluded with again mentioning the necessity of dispatch.

Mr. GREY admitted that if the measure was at all advisable, much of its efficacy would probably depend on the dispatch with which it should be carried through; and he was persuaded that, were it once entered upon by the House, no diligence would be wanting in the discussion; but, as the report

was of considerable length and not yet printed, he begged leave to put it to the right honourable gentleman, whether it was not rather too early to take it into consideration next day; or whether gentlemen could betwixt this and that time, pay sufficient attention to the subject? And, when up, he would take the opportunity of giving his opinion strongly against the proposal, on the same ground with his right honourable friend (Mr. Fox) as creating a new species of influence. If relief was to be afforded, this did not appear to him to be the proper means of giving it. Why does not the Bank interfere? Is it that they think it unsafe to do so? And, if so, is Government to do what the Bank does not think safe? He was, however, more inclined to believe, that, from particular circumstances, the Bank may not be able to afford it, probably from having too great a load of Exchequer bills already; and, if that is the case, would it not be better to pay off part of these Exchequer bills?

Mr. MONTAGUE thought the question was not, whether the relief proposed was unobjectionable in all its parts, but whether some mode of relief was not absolutely necessary, and this the best that could be devised? He was therefore in favour of the proposition.

Mr. THORNTON said, he was a Member of the Committee, who were unanimous in opinion as to the propriety of the measure, and as to its efficacy, if carried through with dispatch. Two honourable gentlemen had said that it was the duty of the Bank of England to have interfered. The Bank had stepped forward in the mode of discount; but it never had been their custom to advance money on mortgages, or on the species of security which is now pointed out, not from any doubt of the security, but because they found an ample demand for their money in the way of discounts.

The motion of the Chancellor of the Exchequer, for taking the report into consideration to-morrow, was then agreed to.

The ATTORNEY GENERAL moved, that the order of the day for taking into consideration the amendments made in the Traitorous Correspondence bill, by the House of Lords, should be read; which being done,

Mr. FOX rose and stated, that considering the hour of the night, and the nature of the alterations made by the Lords—

and particularly the importance of the business now fixed for to-morrow, and the length of the report which it would be necessary for gentlemen to read—he trusted gentlemen, on the other side of the House, would not be disposed to press the proceeding then, to take these amendments into consideration; and he would therefore move, that the consideration of them should be deferred to Wednesday next, or some other early day.

Mr. Chancellor PITT had no other objection to the delay proposed, except a difficulty in point of form, as to altering, by an amendment, the date from which the act is to take place (being the 1st of May); which, in that case, it would be necessary to do; and as this could only be done by an amendment to the amendment made by the Lords, the word “first” must necessarily be retained.

The SPEAKER confessed the difficulty was rather embarrassing, but said, that by the addition of the word twenty, it might be made the 21st of May.

Mr. Chancellor PITT could not agree to so late a period, but thinking that the amendment might be made by making the date of the commencement of the act, “The first Tuesday or Wednesday after the 1st of May,” he acquiesced in the delay proposed by Mr. Fox; and it was agreed that the amendments made by the House of Lords should be taken into consideration on Wednesday next.

The House adjourned.

*Tuesday, 30th April.*

The order of the day, for the House to resolve itself into a Committee, to take into consideration the report of the Select Committee appointed to examine into the state of the commercial credit of the country, being read,

Mr. JEKYLL rose, and said, he hoped that he was understood to have, in conjunction with every other person in that House, the most earnest solicitude, that the utmost expedition should be used in tracing the recent failures to their sources, and applying a remedy to the mischief, if possible. He observed, that it was expected that the Select Committee would make some future reports in their progress in the business; and that being the case, he wished to know, whether

the state of the coin, and the scarcity of it, was to make any part of their future inquiry? He was induced to ask this question from the persuasion, that to the badness and scarcity of current coin in the country, the present calamitous circumstances were in a great measure to be attributed.

The SPEAKER rose, and informed the honourable Member, that the question now was, whether he should leave the chair?

Mr. JEKYLL said, that what he had to offer could not, with so great propriety, come before the House when in a Committee. He therefore proceeded to state, that the counterfeiting of the coin existed to a most enormous degree, particularly in shillings and sixpences, the former of which, when assayed, were 30 per cent. under current value, and the latter above 40 per cent.; for 200 sixpences went to a pound, whereas there should not be above 144. He stated, that he had heard it said, that the coin of the country was exported since the war to the amount of 10,000*l.* a week. And he concluded by saying, that as it had been ascertained that there was not above thirty millions of specie to be met with in the kingdom, a run on the Bank, such as might possibly come upon it, would entirely ruin the country.

Mr. Alderman ANDERSON said, that it was a scarcity of credit, not of coin, that occasioned the present breach in the commercial credit of the country. As a proof of this he stated, that if bills to any amount were brought to the Bank, they were immediately paid in guineas.

The House resolved itself into a Committee of the whole House upon the report.

Mr. Chancellor PITT said, that after the preliminary observations he had made last night, he should not enter into any argument; but referring to the report on the table, which he trusted gentlemen had carefully considered, moved "That his Majesty should be enabled to direct that Exchequer bills to the amount of five millions be issued to Commissioners to be by them laid out under certain regulations and restrictions, for the assistance and accommodation of such persons as may apply for it, and who shall give to such Commissioners proper security for the sums that may be advanced, for a time to be limited."

The following is an extract from the report :

“ The Chancellor of the Exchequer laid before the Committee, a paper which had been delivered to him on the 23d instant, by the Lord Mayor and Mr. Bosanquet ; which is inserted in the appendix to this report. He also stated to the Committee, the circumstances which had led to this paper being drawn up : That he had received representations from many different quarters, which induced him to believe, that the failures which had taken place, had begun by a run on those houses who had issued circulating paper, without being possessed of sufficient capital ; but that the consequences had soon extended themselves so far as to affect many houses of great solidity, and possessed of funds ultimately much more than sufficient to answer all demands upon them ; but which had not the means of converting those funds into money, or negotiable securities, in time to meet the pressure of the moment :—That the sudden discredit of a considerable quantity of paper, which had been issued by different banks, in itself produced a deficiency of the circulating medium, which in the ordinary course of things could not be immediately replaced ; and that this deficiency occasioned material inconvenience in mercantile transactions—That in addition to this immediate effect, these circumstances also were represented to have induced bankers and others to keep in their hands a greater quantity of money than they thought necessary in the usual train of business, and that large sums were thus kept out of circulation, and great difficulty arose in procuring the usual advances on bills of exchange, particularly those of a long date—That many persons were said to be possessed of large stocks of goods which they could not at present dispose of, and on the credit of which they could not raise money—That this occasioned an interruption of the usual orders to manufacturers ; which circumstance, together with the interruption of the means by which they were enabled to make their weekly payments, tended to prevent the employment of a number of persons engaged in different manufactures—That these evils were represented as likely rapidly to increase to a very serious extent, if some extraordinary means were not adopted to restore credit and circulation—That in consequence of these representations, he had desired a meeting of different gentlemen, in order to obtain the best information in his power, respecting the extent of the evil, and the possibility and propriety of any measure to remedy it—That after much discussion, all the gentlemen present seemed to agree in a very strong opinion of the extent of the evil, though many objections at first occurred to any plan for remedying it—That in the result, it was agreed to desire the gentlemen, whose names were mentioned in the paper now delivered, to meet the next day at the Mansion House, to consider more particularly the proposal for the issue of Exchequer bills, to a certain amount, to be advanced under proper regulations, for the accommodation of such persons as might apply for the same, and likewise the objections to which such a proposal might be liable—And that the paper which he had laid before the Committee, contained the opinion of the second meeting.

“ The Chancellor of the Exchequer also gave an account to the Committee of an application that had come within his knowledge for the accommodation and support of a house connected with a very



important manufacturing district. That the sum wanted for the support and accommodation of this House was comparatively small, and the security proposed, as he had understood from very good authority, was admitted to be unquestionable; but that the application had hitherto been ineffectual.

"The Lord Mayor informed the Committee, that, in conformity to the statement mentioned by the Chancellor of the Exchequer, eleven gentlemen met at the Mansion House on the 23d, selected principally from that part of the preceding meeting, who had expressed the greatest difficulties in finding out a remedy; and, after a long discussion upon the subject, they unanimously were of opinion, that the interpolation of Parliament was necessary; and that an issue of Exchequer bills, under certain regulations and stipulations, was the best practicable remedy.

"Your Committee also received information from Mr. Thornton, Mr. Alderman Anderson, and Mr. Chiffwell, Members of this Committee, with respect to instances which had fallen under their personal observation, to the following effect:

"Mr. Thornton represented, that he was at this time acquainted with the situation of five or six mercantile houses, who were in the possession of large quantities of goods, the produce of which would give them effectual relief; but that owing to the stagnation of trade, and the impossibility of converting these goods into money, the houses in question were under very great apprehension of being shortly obliged to stop payment.

"He informed the Committee, that he was lately appointed a trustee for liquidating the concerns of a house in London, with extensive connections in the country, that had been obliged to suspend its payments. That after the intervention of about three weeks, it had been enabled to pay its acceptances, and within twelve months would discharge all its debts; and that the partners had a reasonable expectation of retaining a surplus of 100,000*l*. And if they had had the opportunity of raising only a moderate sum of money on the securities which they held, the calamity that befel them, and their connections, might have been averted.

"Mr. Alderman Anderson informed the Committee, that it had fallen under his own personal knowledge, that seven mercantile houses, of known and undoubted property, and with a large quantity of goods on hand, now not saleable, are brought to very great distress from the scarcity of money, and will not be able to make good their payments, if not assisted; which would prove of very serious consequence to many other merchants and manufacturers, to whom they stand indebted.

"Mr. Chiffwell stated, that the present mercantile distress arose from an alarming stagnation of credit, which on his knowledge had reduced eight houses of known and large property to stop their payments. That he also knew others of the same description, who have had temporary assistance from him and others, but which will be ineffectual, if they are not farther relieved in a short time. He also stated, that various applications had been made to him from different houses of undoubted and very considerable capitals, which in ordinary times, or even in times of pressure, he would have assisted; and that he is now only withheld by the uncertainty to what extent the mischief may increase from the present unexampled general

alarm and want of credit. He also farther stated, that if those houses were not assisted, the consequence would be, the immediate failure of many others of good credit and fortune dependant on them.

“ Your Committee understanding that Mr. Gilbert Innes, a Director of the Royal Bank of Scotland, was at present in London, desired his attendance, and received information from him to the following effect.

“ That as a Director of the Royal Bank of Scotland, he has had many occasions to judge of the present state of commercial credit in Scotland.

“ That the country is in very great distress; and the two chartered banks will not be able much longer, with prudence to themselves, to furnish the accommodation and support necessary to different mercantile and manufacturing houses, nor to the country Banks; and if something is not immediately done by Government, a very general failure may be expected; and that many houses with undoubted effects, and who would ultimately pay all demands against them, will be involved, unless they can obtain a temporary relief.

“ There have been several failures, and a very considerable one lately, which is connected with manufacturers who may ultimately be involved, and where seven or eight hundred persons are now employed.

“ The effect of these failures in his opinion must occasion many manufacturers to be thrown out of employment, and he has heard some were already dismissed; and such is the pressure of the times, that the distress if not ruin of several principal manufacturing houses may ensue. Many manufacturers would have been dismissed, but for the liberal support their employers have received from the Royal Bank; but that assistance cannot without imprudence be continued without extraordinary aid.

“ This prospect of distress to the manufacturers in his opinion arises, not so much from a failure of the usual markets for the goods, as from the difficulty in discounting in London and in Scotland the long dated bills received for the goods.

“ Great quantities of manufactured goods belonging to manufacturers in Scotland are now in London, for which, when sold, bills are granted for a small part at three months, and the remainder from six to fourteen months, the greatest part of which goods have been formerly sold for long-dated bills, but are not so now from the difficulty of obtaining discounts; and he has heard manufacturers say they were willing to sell their goods with a considerable loss to obtain relief, by sales, for ready money.

“ Manufacturers frequently borrow money for the purposes of their trade on personal bonds, great part of that money has been called for at Whitsunday next (15th May;) and from the state of credit in Scotland, he has reason to think the manufacturers will not be able to answer these demands by borrowing on the former securities.

“ The manufacturers keep as little stock in their warehouses as they can, and as fashion varies he should think the mercantile interest would be more benefited by depositing the raw materials on

pledge, than the manufacturer, who however might indirectly be benefited by the advance.

"He certainly thinks that paper issued on Government security, and advanced upon the deposit of goods, or other unquestionable private security, would, when properly understood, be a material relief in the present distress of Scotland; and he has no doubt several persons might be found to concur in giving a joint security for the support of copartnerships, with perfect safety to the Public.

"He believes the quantity of paper circulated by the country banks has of late been considerably diminished, and their discounts on bills of exchange greatly so, since these troubles began. With regard to the Royal Bank, the circulation is nearly the same, and the assistance given to the country greatly superior to what it has given at any former period.

"In addition to these statements, your Committee, when they were on the point of concluding their report, had the opportunity of receiving farther information from Mr. Macdowall, a member of this House, who stated, that he is representative in Parliament for the city of Glasgow, from whence he had this morning returned, and that he had there found all the commercial houses and manufacturers in the greatest distress, from the late stagnation of commercial credit, and total want of private confidence.

"The present distress does not appear to him to arise from a want of property or funds, but from the stop which has been lately put to discounting bills at any of the Glasgow, Paisley, or Greenock Banks, who have not for some time past discounted to any extent, from their notes being poured in upon them for gold, and from the alarm which the present situation of credit in London has occasioned.

"The manufacturers have plenty of goods on hand in London and in Glasgow, which they cannot sell but at a reduced price, as renders it perfectly absurd for them to think of disposing of their goods, in order to obtain immediate relief. The manufacturers, and those who have cotton mills, have begun to discharge the workmen employed by them during the last fortnight; and by a letter received from the Lord Provost of Glasgow by him this morning, he learns that the manufacturers have discharged a very great number of workmen. There are employed in Glasgow, Paisley and their dependencies, in different parts of Scotland, about 160,000 men, women, and children. Any relief to be administered, must be given immediately to render it effectual."

Mr. FOX said, that he did not think it wise for him to anticipate what reasons might be hereafter given to a Committee for the advancing the sum now proposed, and for proceeding in the manner which might be hereafter stated; certainly restrictions and regulations might appear to be wise, or otherwise, according to what their nature might appear to be when they were proposed, and therefore it did not appear to him to be important to debate upon that part of the subject now. He hoped that the Committee would attend to them when they were

brought forward for discussion, and that they should hear a great deal more than yet they had, before they should be called upon to come to any resolution. The general grounds and the circumstances on which this measure proceeded, certainly was in some degree explained by the Report now before them, and he could not expect that what he had to advance would be much attended to, if it tended to differ from the sense of the Committee who prepared that Report. He had not the presumption to think that his individual judgment could have any weight against the collective sense of so many gentlemen who were so well qualified to form a good opinion upon the subject; but although he felt this inferiority, and knew it to be his duty to confess it, yet he knew it to be his duty also to submit to the Committee such ideas as had occurred to him upon this subject. If any other observations should hereafter occur to him, he should think it a duty which he owed to the Public, from the situation in which he stood, to give all the explanation in his power, particularly upon the mode of forming the regulations to which the Report alluded. He wished, however, to afford the Chancellor of the Exchequer an opportunity of assigning some reason for the motion.

Mr. Chancellor PITT said, the grounds of the resolution were fully detailed in the Report of the Select Committee; and he could not have the presumption to suppose that any thing he was capable of saying could add to the information afforded by that Committee. Besides, a detail of that kind was better given in a written form, than it could in any verbal way. He thought it, however, his duty to assist as far as he was able, and would do so. The restrictions and regulations alluded to were also contained in the Report.

Mr. FRANCIS said, that, as the right honourable the Chancellor of the Exchequer had expressed a readiness to give any farther explanation or information that might be desired on the subject of this Report, he should take the liberty of asking him, for what reason the Directors of the Bank of England had not been invited to undertake the management and distribution of the relief proposed to be given to the commerce and credit of individuals; why it had not been formally proposed to them to carry into execution a

measure, with the objects of which they had, from their situation and from the conduct of their own business, a natural and necessary connection, and must of course possess knowledge and information superior to any that could be found in a Board of Commissioners newly appointed by Parliament? That the business, proposed to be done by the Commissioners, was in effect what the Bank was now doing every day, and which they would only be called upon to perform with greater means and to a greater extent. That, if they accepted the trust, there could be no doubt of their performing it safely for themselves, and effectually for the Public. If they refused it, which could hardly be thought possible from such persons, in such an emergency, they would of course assign their reasons; and if, on their part, the reasons of their declining so important a public service, were valid and sufficient, they would be infinitely stronger on the part of Government, not to undertake a task, which the Bank had refused. At all events, the experiment ought to be made. If the Directors of the Bank should alledge, that their funds were insufficient, or that they had already exerted their own means, as far as they could with safety or propriety, that objection would be removed by putting into *their* hands the Exchequer bills, which were to be entrusted to the Commissioners, and leaving it to *them* to circulate and distribute them, in whatever way they might think most advantageous to the commercial credit of the country. It would be difficult to conceive a reason, assignable by the Bank, for not engaging in an operation, said to be of such pressing necessity to the commercial credit of the kingdom, which ought not much more to deter Government from attempting to execute it by their own agents.

Mr. Chancellor PITT said, that from the nature of the business the Bank had declined interfering, because the species of the security to be given by those who wanted the temporary aid was not such as the Bank had been accustomed to receive when bills were discounted by them. The measure now proposed was of a temporary nature. The practice of the Bank upon discount was permanent. The Bank took securities for what business they transacted in this way at two months. The security to be given here was not de-

terminable at that time, and the deposit was of a nature which the Bank had not been accustomed to act upon. Upon these grounds he thought we had no right to desire the Bank to alter their common practice ; not that he conceived that by any mode the relief would be administered more punctually, justly, or ably, than it would be by the Bank ; but that had been already stated by these gentlemen to be inconvenient.

Mr. TAYLOR said, that unless the plan which should be brought forward had good regulations against patronage, he should think himself bound to give it his negative. As to the observation that the Bank discount bills only at two months, he did not see why the Bank should not do so still, and when these bills become due, to renew them for the same length of time. This they might continue as long as they were pleased with the security. With respect to the relief proposed by the present plan, he had conversed with gentlemen who, in his opinion, were qualified to judge upon this subject, and they laughed at the idea of considering it as any thing like a solid assistance to those who now were, and might hereafter be, in want of aid in consequence of the embarrassment of commercial credit. He wished with all his heart that the credit of the country might be supported ; it was the interest of all that it should ; but he did not think that would be done by putting all the merchants under the nod of the Minister, which he feared would be the case when this plan was to be under the control of Commissioners of the Minister's nomination. Indeed he must confess, that, unless he could see better grounds to proceed upon than those stated in the Report, he should not be able to give his assent to the measure now proposed. He added, that he believed in his conscience that the plan now proposed was, by many mercantile men in this country, considered as absurd and useless.

Mr. Alderman CURTIS said, that he had reason to believe the honourable gentleman who spoke last was not quite so well acquainted with the mass of the mercantile people as he himself necessarily must be ; and he could aver, that, so far from laughing at, they all approved of the measure, and

he, for his part, had not the smallest doubt of its producing the happiest effects.

Mr. TAYLOR, in explanation, said, that he had a very respectable acquaintance with the merchants too ; several of whom, who carried on trade to a very considerable amount, were his own constituents, and avowed himself happy in possessing their regard and confidence.

Mr. CHISWELL said, he had connections with the mercantile gentlemen, and he could in the most positive manner declare, that the measure, so far from being laughed at, was looked up to with hope and approbation. As a proof of this, he mentioned the effect that the bare report had on 'Change, namely, to raise the price of stocks considerably.

Mr. LE MESURIER said, that as soon as the news reached the country, even in a general notice, of the Committee being appointed, it had been attended with the most beneficial effects ; and he asserted, and pledged himself to support, that, so far from laughing at it, all people at all concerned expressed their gratitude and approbation.

Mr. Alderman ANDERSON declared, that the measure now proposed was, in his opinion, and in that of all with whom he conversed on the subject, of that kind, that, if not granted, the most serious mischiefs would follow. The objection against the distribution by Commissioners was futile and unfounded ; for they had not the discretionary power to refuse the loan, on producing proper security. He positively denied the custom of renewing the bills by the Bank, as mentioned by the honourable gentleman (Mr. Taylor) ; for when it appeared for the sake of raising money, it was never granted.

Mr. FOX said, he did not wish to trouble the Committee much at length upon the present occasion. He felt the subject to be such, that he hardly knew how to speak at all upon it, and the more so, as he had considerable doubts upon the expediency of the remedy, supposing the principle of the proposed measure to be unobjectionable. With regard to the necessity of aiding the public credit at this humiliating and unhappy moment, there was not indeed, either in that House or abroad, any room for difference of opinion. The state of public credit was matter of lamentation to this country.

Humiliating and lamentable it must be ; for the very circumstance of that House being in a Committee to consider of means to aid the commercial credit of the nation was decided evidence of that fact ; and he must add, that, the whole taken into consideration, we were surrounded by circumstances of a dangerous nature. We were told, that, in point of fact, there was no real danger, for that the distress was merely temporary, and that the remedy now proposed would be fully adequate to its removal. He wished to God that might turn out to be true ; but at the same time it was not quite satisfactory to see that Government were obliged to take up what the Bank of England would not touch. The answer to this was, that the Bank of England was not in the habit of entering on a speculation of this nature, and that it would not be consistent with the regularity of their proceedings to do so at this moment. Was there any thing so peculiarly regular and preceded in the Legislature taking up the measure, that taught gentlemen there was no real danger ? If the Bank of England, accustomed as they were to commercial dealings, thought it a scheme upon which it was not prudent to adventure, how did gentlemen arrive at all at the conclusion that there was no danger to the Public in such an adventure ? If it was not the habit of the Bank to advance money upon a certain species of security, he would say neither had it ever yet been the habit of the Public to advance their money upon that security ; and that if there was to be any innovation in the affairs of commerce, it was better that it should be made by the Bank than by the Public. But it seemed the Bank had been applied to in vain upon this occasion. What was the reason why the Bank had been applied to in vain ? He feared the reason why that application was unsuccessful would not be very proper to induce the Public to adopt the measure. These thoughts compelled him to entertain doubts upon the prudence of the present measure. But it was again said, that the Bank had already issued money enough upon discount. If that was the reason, he was afraid that the Public could not be much benefited by issuing Exchequer bills for five millions more. Means should rather be devised for paying off those in the market. He did not say that his opinion upon this subject was direct, but he could



not help suggesting his doubts, and he should be very glad to be answered by arguments, and he declared upon his word he should be happy in hearing his observations refuted. He could not help again observing, that the Bank must have some strong reasons for refusing to discount in the usual way ; for, generally speaking, they were pretty ready to discount when they thought they could do so with safety, for that was well understood to be for their interest ; if that was the case in general, how much more so was it on the present occasion ? Who could be more interested in the general credit of the commerce of this country than the Bank of England ? What then must be the conclusion of a man of common sense when such a body of men refused to discount ? What must they think of the situation of the country ? These points pressing upon his mind, he owned he should not be sorry to hear this subject went no farther to-night. Again, he must observe the Bank refused all share in this business for one of two reasons ; either that they did not like the security that was to be offered to them, or that they had already so far employed their money as not to be able to afford the relief wanted. If the first was the reason, there would be a difficulty indeed in the way of the present measure. The Commissioners, whoever they were, could not be more conversant in commerce than the gentlemen who had the management of the affairs of the Bank of England, and therefore the plan could not have a very flattering prospect of its issue. If the Bank hesitated, by what mode of reasoning was it that the Commissioners should not hesitate ; and in this view he thought himself, as one of the trustees of the interests of the Public, bound to hesitate. If the other reason was allowed, namely, that the Bank had already issued all it could afford, he could not see the ultimate advantage to the public credit by the issuing Exchequer bills. He must again repeat, that he spoke upon those points with doubts, which he should take pleasure in having removed, and grief in confirming, and he must really say he did not know what to do. He knew not how to say he should not agree to the Committee proceeding upon this subject for the purpose of supporting the commercial credit of the kingdom, and to remove the calamity of the country ; and yet he did not see how this plan would answer

the purpose for which it was intended. He felt also another difficulty, and that arose from a motive of delicacy, from the circumstance of having had nothing to do with the entering into the present war, the cause, in his opinion, of all our calamities; having, on the contrary, done every thing in his power to prevent it, so he did not wish to be represented as a person not feeling the calamity, because he had not contributed to produce it. A very important part of the question remained, he meant the constitutional point that would be involved in it; a matter in itself of the highest importance. How was Government to take what related to commercial dealings into its hands, without establishing a precedent of the most dangerous and alarming nature, and without creating a general timidity in commercial men with regard to the fate of their future speculations? How were the Committee sure that this would not damp the ardour of commerce, and shake the general principle, which was the life of commerce itself, the control which every man had over his own property? How were they sure that the Commissioners, when appointed, would be free from partiality, prejudice, favour, and affection, and all the weaknesses which were common to our nature? and how could it be determined that these Commissioners would receive the security of one whose way of thinking upon politics might be agreeable to the Minister, and refuse an equally good security from a person of a contrary way of thinking? Was not this opening a path to the most unconstitutional and the most dangerous patronage? Good God! did the Committee see the extent of the power which this might give to the Executive Government?—a power which it was the boasted principle and the first duty of that House jealously to watch. Before, therefore, he should vote for such a measure, he ought to see something like the probable effect of it. He ought to give power of this nature with a timorous and reluctant mind. He ought to feel the danger to which his country was exposed in the possible abuse of such a power. He ought to know something of the proposed end before he consented to such a beginning. He repeated, that although he was not in the least degree accessary to the commencement of this calamitous war, yet he should be glad to be instrumental in bringing it to a conclusion as

speedily as could be effected with due regard to the honour of this country. He blamed not the majority on that occasion, but gloried in being one of the minority. He wished to see the hour when this destructive measure was at an end, for then commercial credit would return, and with it commercial enterprise and vigour.

Mr. Secretary DUNDAS differed entirely from the right honourable gentleman who spoke last as to the cause of the present embarrassment of commercial credit, and begged leave to enter a caveat against the conclusion that the war was the cause. So far was he from being of that opinion, that he freely declared himself to be perfectly persuaded that the present embarrassment arose from the prosperous state of the country at large. The very circumstance of the present stagnation was a proof of the power and energy of this country. He really believed that this arose from the circumstance of some individuals having ventured beyond their capital, and they not being able to answer the sudden demands made upon them, had occasioned a temporary distress to others; this was now, in his opinion, very improperly set down as a great calamity. But he should require much greater proofs before he should ascribe it to the want of general prosperity of the country. The right honourable gentleman had been pleased to hint, that the present war was the cause of this sudden check upon commercial credit; but he had not brought forward one argument in support of that assertion. War, to a certain degree, most undoubtedly must affect the trade of this and every commercial country; but he saw nothing in this war in particular that distinguished it in that respect, as being more calamitous than any other: and as to the credit which the right honourable gentleman took for being in the minority when that subject was debated, he was perfectly welcome to take all the advantages which he might think ought to attend that circumstance. He should not now say any thing of the merits or the demerits of the war at this moment; that question had been fully discussed and determined by the House, and, in his opinion, by the Public. He should only say, that he had not heard any thing that altered his mind upon that subject; and he must declare, it appeared to him a war in which the honour, the happiness, and perhaps

the very existence of the State depended ; and when gentlemen blamed Administration for entering into it, they would do well to remember, that it was declared against us. He must, however, insist that our commerce was not connected with the object of the war. With respect to the Bank of England having declined to enter into the business now about to be proposed for the interference of Parliament, he insisted that this did not arise from any doubt they had of the solvency of many merchants who now wanted temporary aid, but that the whole mode of administering the aid would be contrary to the system which had been invariably pursued by the Bank, and therefore he wished it not to be understood that it was the diffidence of the Bank, but that they were determined to make no alteration in their plan, and in this he thought them wise ; for although the security to be given of the solvency of these merchants was of itself indisputable, still it was not of the nature which the Bank had been accustomed to receive ; they had only been accustomed to discount bills, whereas the security here was that of substantial goods, and really there seemed to him to be nothing alarming in the measure at all ; the goods were well known in many instances to be worth much more than the sum for which they should be deposited ; and, instead of this being an alarming measure, it appeared to him to be matter of triumph to this country ; for in truth this would be at last nothing more than the real wealth of the kingdom standing as a security for its paper currency. As to the constitutional point, he allowed that part of the question to be new ; but then it was justified by the necessity of the circumstances ; and really, upon the supposed partiality with which the Commissioners might conduct themselves, he could only say, that if the morals of the age were so depraved, that no set of men could be trusted, there was an end of us altogether as a community. What reason could there be for supposing that the Commissioners to be appointed to conduct this business would be men less honourable than even the Directors of the Bank of England ? He knew not who they were to be, but he had no doubt but that they would be of perfect integrity, and that it would matter not to them whether a merchant came to them with a blue coat trimmed with red or lined with buff ; they would attend

only to the nature of the security he should offer, and they would take care that the Public should be pledged for nothing that was not properly secured. Feeling these points so strongly, he must confess he had heard nothing like a reason why he should not give to this measure his most hearty assent.

Mr. FOX said, that the right honourable gentleman seemed to have forgotten the nature of the subject altogether. He insisted on the wealth of the nation being answerable for all the aid to be given under this measure, and seemed to treat with contempt the idea of the existence of any calamity; whereas the Report of the Committee itself stated the subject to be a calamity. But what he had endeavoured to impress upon the Committee was, that this measure was likely to produce serious mischief to the country. His object was not to debate upon private relief to individuals, but to preserve the Public ultimately from the most complete ruin by an unprecedented speculation, and a dangerous attack on the principles of the Constitution itself, upon which the whole of our prosperity depended. With respect to the observation that the war was not the cause of the failures, he could not prove that to be the case in every instance that had been yet found; but certainly it was in the mind of every man of sense *prima facie* evidence of the fact. With regard to the necessity, he allowed that to be great indeed; but whether this was the proper remedy was his doubt. Nothing he had heard with respect to the Bank had satisfied him. The right honourable gentleman said they were not used to the mode proposed; possibly not, nor were the Public either. The constitutional objections too appeared to him to be unanswered; perhaps the greatest objections of all in a free government.

Mr. S. THORNTON said, that, as a proof of the disposition of the Bank Directors to do every thing in their power, in the usual course of their business, for the accommodation of the Public, they had in the course of two months employed forty additional clerks. It was their wish, however, to confine themselves to the sort of accommodation to which they had been accustomed. But if their experience could be of any service in promoting the relief now proposed to be

granted, they would be ready to lend two or three of the most experienced and able of their body to aid the Commissioners. As a proof that the quantity of Exchequer bills in their hands did not cramp their operations, they had last year advanced 4,500,000*l.* on Exchequer bills. The sum now advanced by them would soon be reduced to less than 2,000,000*l.*, exclusive of the 1,500,000*l.* which they had agreed to advance on the vote of credit. The war was not the cause of the present distress, but the immense quantity of paper in circulation, although he admitted that the war had accelerated the failure of that paper.

Mr. HARRISON asked if any propositions had been made to the Bank on the subject of administering the relief proposed to be granted? If not, the argument that the Bank chose to decline it was premature.

Mr. Chancellor PITT said, he had made no direct propositions on the subject; but he had reason to believe that the Bank did not chuse to undertake the management.

Mr. HARRISON said, that whatever reluctance the Bank Directors might feel to go out of their ordinary line of business, their regard for the public convenience might induce them, if asked, to do what they would otherwise wish to decline. To say, therefore, that they would not undertake the management was merely an assumption.

Mr. Chancellor PITT then said, that he had made no formal proposition; but he had repeated intercourse with many of the Directors of the Bank, and it was their decided opinion that the Bank should not interfere; and that not so much for the trouble of infringement on their established habits as that they considered it more beneficial to the Public to have it placed in other hands.

Mr. LAMBTON said he wished not to throw any difficulty in the way of the relief proposed. But if the distress arose from the want of markets for goods, the want of markets must naturally be supposed to arise from the war. Now, if the persons applying for relief, and pledging their goods because they could not find a market, should fail in repayment, how would the Commissioners, or any persons who might buy the goods when brought to sale by the Commissioners, be able to find a market? On this view of the

subject, he was afraid that if the war should continue, the relief would be only temporary.

Mr. Chancellor PITT wished the House to recollect that the Select Committee had found that the recent failures were owing not, as had been alledged, to any ruinous effects of the war, but to the want of a circulating medium—not to want of coin or wealth, but to a stoppage of discounting. As to the facility of markets, he acknowledged that it was impeded in some respects by the general war; but the House must perceive that by the war between Great Britain and France it suffered but very little; for, on viewing the whole of Europe, it would be found that, notwithstanding the commercial treaty, our direct trade with France was comparatively small, and that the diminished market was the effect of a general war, which stopped the transit of goods through the continent, and which mischief would have been increased, if Great Britain had not interfered; but that effect did not reach the internal state of the cash and commerce of this country. He said it was obvious to the meanest capacity that it was not a diminution of wealth, but a cause comparatively small, which had produced those alarming events. He then called upon the House to compare the present war with others, and to see whether they had ever produced such an effect. No, never: the just mode of weighing the matter was to consider not the private miscarriages, but the public credit, *i. e.* the Funds, and the effects of the war upon them; and it would be found that those effects were less than on any former occasion. If it was the war which produced the concussion, public credit would first feel it, and the private commercial credit only from the rebound of it. “Has the war,” said he, “been marked, even as much as any former, by any sinister event to produce such an effect? Has our commerce suffered? Have captures been made upon us? Have we suffered dangerous defeats, or sustained any loss by it in any part of the world? No: the reverse is the fact. And as to the diminution of market, the general war would have done that at all events; still more, too, if we had not been made parties in it.” The diminution of market, at most, only retarded, but did not lessen, our commerce; goods sold the slower, but did not lose their value, though they came late to market; and if in the interval of that

suspension of commerce mercantile people were likely to be ruined, it was the policy and duty of that House to prevent it by all the means they could devise ; and when it was considered that the plan of the proposed measure was to restrict the sum to be lent to half the value of the goods, no possible risk, he thought, could ensue. He referred to the Report of the Select Committee as irresistible, and concluded with saying, that the objection of partiality might with equal justice be attributed to any possible mode of administering relief that could be adopted ; and when he should have the honour of producing the names of the Commissioners he proposed to the House, they would judge how far such a charge was likely to be applicable, and would exercise their discretion accordingly.

Mr. SHERIDAN said he admitted the necessity of some remedy, and differed only about the means. In stating the deficiency of market, the right honourable gentleman took into his account only the loss of the consumption of France, without estimating the great quantity of our manufactures circulated through French ports to other countries. If there were not a great deficiency of market produced by the war, the manufacturers would be overstocked with raw materials instead of manufactured goods. The true remedy for the present distress of the country was for Ministers to turn their attention earnestly to peace—not to peace with France only, but to restoring the general peace of Europe. The situation of the country, whether gentlemen liked better to call it humiliating or unfortunate, certainly was not such as to justify the right honourable Secretary's mode of argument. To assert that the distress of commercial credit was owing to the great prosperity of the country, might make a very sonorous period, but would not be much relished in the City. It would be considered as but a poor compliment to congratulate a man on his having proved himself one of the most industrious manufacturers, or enterprising merchants, by getting into the Gazette as a bankrupt. No proof was yet given that the Bank Directors would refuse to undertake the management of the plan proposed. Let gentlemen look at the part of the Report which recommended doing it by Commissioners : they would there see that the Commissioners must have an able solicitor, able brokers to inspect and value the goods, clerks, &c., &c. ; and when it



was considered that the principal Board of Commissioners must have subordinate boards, with brokers and clerks, the Committee must see that the patronage would be most extensive. The Chancellor of the Exchequer had not consulted his right honourable friend on the choice of the Commissioners, and the reason was now plain. The right honourable Secretary's extraordinary purity, his confidence that no man could be influenced by partialities or prejudices in the discharge of such a trust, rendered him totally unfit to be consulted. The right honourable Secretary, in his own practice at the Board of Control, and other Boards with which he was acquainted, knew so well that favours were conferred with equal readiness on the friends of Ministers and of Opposition; that he expected the same impartiality every where else. Other persons, however, might be influenced by their prejudices, without being conscious of it. The Commissioners were to judge not only of the value of goods, but of personal security; and they might think a man unfit to be trusted, because he happened to be one of the Friends of the People, whose responsibility would have been undoubted, if he had the good fortune to be an Associator.—The obvious consequence of the measure would be to bring the whole commercial interest of the country into the most abject subserviency to the Minister of the day; for although the remedy was said to be only temporary, people remembering the present calamity would apprehend that such another might happen, and every person would naturally be afraid of being considered as a marked man in the hour of distress.

Mr. LAMBTON said, no notice was taken of the nature of the securities, whether they were to be raw materials or manufactures; if the latter, much of their value depended on the fashion of the day.

Mr. Chancellor PITT said, it was thought best to leave this to the discretion of the Commissioners.

Mr. FOX said, the Chancellor of the Exchequer had made one assertion which he apprehended to be unfounded, viz. that the fall in the price of the public funds had been less on the commencement of the present war, than on that of any former. He did not pretend to be quite accurate, but he believed that last year, when there was no apprehension of war, three per cents had been at 97, and when the war began they fell to 71,

being a difference of 26 per cent., a greater difference than he imagined the commencement of any former war had occasioned.

Mr. Chancellor PITT said, he had not considered the relative differences with much accuracy ; he meant only to speak of the state of the prices since the commencement of the war, compared with the fluctuations immediately before it.

Mr. FOX said, the difference between the confidence in peace, and the certainty of war, was nearly such as he had stated ; a difference which, according to the right honourable gentleman's own argument, must have had a material effect on private credit.

Mr. ROSE said, that on the commencement of the war in 1756, three per cents fell from 100 to under 80. That the time of the greatest prosperity of a country might be the time of greatest distress to commercial credit, appeared from what happened in this country in 1772 ; and he had shewn that his right honourable friend was right in asserting, that the price of the public funds had been less affected by the present, than by former wars.

Mr. FOX said, the honourable gentleman had shewn the direct contrary, inasmuch as 21 was less than 26. The distress of 1772 was but of short duration, and required no extraordinary remedy—a melancholy contrast to the present distress as set forth in the report.

Mr. W. SMITH said it was necessary to do something, and he should only recommend some future alterations in the mode of doing it. He was sorry that the advance on goods deposited was to be restricted to 50 per cent. Three per cents were at 77 two years after the American war began, and after two loans. If the want of circulating capital was the cause of the evil, six millions taken out of circulation by the loan, in consequence of the war, must have added considerably to it ; and Navy and Victualling bills were at a discount of eight per cent. instead of two per cent. as probably would have been the case but for the war.

The resolution was agreed to.

The House resolved into a Committee on the Government and Trade of India.

Mr. DUNDAS moved his first proposition.

Mr. FOX said, he should make no opposition to the propositions in their present form, as his objections would come more properly when they were incorporated into a system.

The first and second passed without opposition. On the third, without any debate, the Committee divided,

Ayes, 110; Noes, 26

The Chairman reported progress, and leave was given to sit again on Thursday. Adjourned.

*Wednesday, 1st May.*

The report of the Committee of yesterday upon the state of commercial credit, was brought up. The resolution for issuing five millions by Exchequer bills, under certain restrictions, &c. being read,

Mr. JEKYL said, that after what had already passed upon this subject, he had no desire to trouble the House at much length, but he thought it his duty to say a few words. It had been represented to him, from men of great respectability in the city of London, that the embarrassment of public paper credit was not confined to the refusal of discount at the Bank, but that there were accommodating bills now in circulation to the amount of seven millions of money. If that was true, the sum now proposed would be much below what would be wanted to support paper credit in this country; he submitted, therefore, whether it might not be proper that the sum, instead of five, should be seven millions.

Mr. ADAM went much at large into the whole of this subject, touching on each particular branch of it in its order; from premises thus derived, his conclusion was, that the present mode was not the best that might be devised to obtain the end desired—to restore general confidence throughout the country with regard to commercial credit. The mode which he recommended was, that one million, or a million and a half, should be issued by Exchequer bills, as a security for individuals who, under certain regulations, should apply to the Bank for the discount on bills. If the Bank had this security they would discount as usual. The restoration of discount at the Bank would produce a general restoration of credit, and all subordinate discounts would naturally flow in their due order all

over the kingdom, and those who applied for assistance, would have it at the moderate interest of five per cent.

Mr. Chancellor PITT did not approve of this plan, because the Bank would not discount bills upon the species of security which those who were to be relieved under the system proposed by the resolution now before the House had to offer. He did not think the plan of the honourable gentleman sufficiently extensive for the proposed object.

Mr. FOX observed, that the Exchequer bills to be issued in pursuance of this resolution, were to be at twopence halfpenny per cent. per day interest. Other Exchequer bills were at the interest of threepence per cent. per day. These bills, when issued, might be at a sort of discount, and it might possibly be the case, that a person being governed by the market price, might in fact be compelled to pay six or seven per cent. for this aid from the public purse. This ought to be explained; for it did not appear to him to be very delicate, at a time when we had statutes against individuals taking more for the use of their money upon any contract than five per cent. If it was thought advisable to repeal those statutes, and to make the rate of interest subject to the fluctuation of a market, possibly there might not be any very strong reasons for opposing such a measure; but while these laws continued, he thought it would not be proper that persons, aided by the Public upon a public occasion, should pay more than what the law establishes in all other cases.

Mr. Chancellor PITT said a few words, importing that persons having very extraordinary aid, should not complain if they gave something more than five per cent. interest.

Mr. H. THORNTON entered into the subject much at large, and in the course of his speech said, he believed that, all expences defrayed, the person receiving assistance under the present plan, would be compelled to pay interest at the rate of between six and seven per cent. The honourable Member then assigned reasons for wishing that the interest should be kept as nearly as could be to five per cent.

After a few words from Mr. Hufsey, Mr. Chiswell, and Mr. W. Smith, the resolution was read a second time, agreed to, and a bill ordered to be brought in, in pursuance of it.

The ATTORNEY GENERAL moved, that the amendments made by the Lords in the Traitorous Correspondence bill be now taken into consideration.

Mr. CURWEN renewed his objections to the bill, and declared that he must again say, it appeared to him to be part of a plan to keep up a false alarm.

A debate took place, supported by the Attorney and Solicitor General, and the Master of the Rolls on the one part, who all thought that the bill was better when it left that House, but as to all of the most material alterations they would agree to them, under an apprehension that the bill might otherwise be lost.

Their arguments were answered by Mr. Fox and Mr. Adam. At last the House went through the amendments, and ordered a message to the Lords, to inform them that that House had agreed to their Lordships' alterations with some amendments.

Mr. Chancellor PITT brought up the bill upon the resolution of the Committee on the state of commercial credit—read a first time, and ordered to be read a second time to-morrow, and to be printed.—Adjourned.

*Thursday, 2d May.*

Mr. DUNCOMBE presented a petition, on behalf of the inhabitants of Sheffield, signed by eight thousand persons, praying for a parliamentary reform \*.

\* To the Honourable the Commons of Great Britain in Parliament assembled.

The Petition of the Inhabitants of the town and neighbourhood of Sheffield,

Sheweth,

That the House of Commons is not, in the just sense of the words, what your petitioners are from form obliged to term it, viz. "The Commons of Great Britain in Parliament assembled," not being freely elected by a majority of the whole people, but by a very small portion thereof; and that from the partial manner in which Members are sent to Parliament, and their long continuance there, they are not the real, fair, and independent representatives of the whole people of Great Britain.

Your petitioners are lovers of peace, of liberty, and of justice. They are in general tradesmen and artificers, unpossessed of freehold land, and consequently have no voice in chusing Members to sit in Parliament;—but though they may not be freeholders, they are men, and do not think themselves fairly used in being excluded the

Mr. Duncombe stated, that although he presented this petition, he did not approve of the manner in which it had been worded; he said so to those who desired him to present it, but they were determined it should be presented, and he did so in compliance with their wishes. He said he had presented several petitions for a parliamentary reform; and to a temperate reform he had always been, and still was, a friend; but he would not go the length which seemed to be the object of this petition, a representation from population alone: we had too much reason to dissent from such a plan, from the confusion and anarchy of France. But, however, as far as the words of

rights of citizens. Their all is at stake, equally with the freeholder's; and whether that all be much or little, whilst they pay their full share of taxes, and are peaceable and loyal Members of Society, they see no reason why they should not be consulted with respect to the common interests of their common country. They think men are objects of representation, and not the land of a freeholder, or the houses of a borough-monger.

It is not merely because heavy and grievous taxes oppress them, that your petitioners pray for the reform of abuses, which are too notorious to be denied by the most prejudiced: It is as much on account of the application of the money, as of the money itself, for which they are concerned. They love their country, and would contribute a portion of their last shilling to its support, were they sure that every shilling paid was well expended. They pray also for the correction of this abuse, because they are convinced that upon it depends the peace, happiness, and prosperity of their country.

That your petitioners wish the House of Commons to become the true representative, or judgement of the Commons of Great Britain, and the undoubted Guardian of the interests of the people. That the delegates and their constituents may feel one common interest, Members of Parliament should be chosen for short terms; and descending from their delegated station, mix again with the people by whom they were chosen.

That the voice of the great body of the people ought not to be smothered by the voice of a partial interest; but should be fairly and fully heard: as nothing short of this will do away that unhappy spirit of discontent which so generally prevails in our country; and this done, neither proclamations nor prosecutions will be necessary to secure its tranquillity and peace.

Your petitioners therefore, relying with the greatest confidence on the virtue of some, and on the candour, good sense, prudence, and justice of all, hope this honourable House will take these premises into their most serious consideration, and adopt such a plan of effectual reform in the representation of the Commons in Parliament, and of the duration of the same, as to their wisdom shall seem proper.

this petition were to be considered, he begged leave to tell the House, that the petitioners were only manufacturers, and not very well acquainted with the language required for addressing the House of Commons, and that circumstance, he trusted, would be an extenuation of their fault. He then moved, "That the petition be now brought up."

Mr. RYDER opposed the bringing up of the petition, on the ground that it was not worded in a manner sufficiently respectful to that House, and that they could not, consistently with their own dignity, receive it.

Mr. FRANCIS observed, that neither the honourable gentleman who spoke last, nor any other of the honourable gentlemen who opposed the bringing up the petition, had pointed out any one disrespectful expression contained in it. It had been said, that the prayer was not objected to; but how was it possible to pray for a reform in the representation of the people in Parliament, without using terms in the body of the petition, which might be construed, by ingenious men, into disrespect for the House of Commons? In his opinion, it would be but fair in gentlemen to state those particular passages which appear to them so highly objectionable.

Mr. RYDER explained, that his objection did not go to the prayer of the petition; but it appeared to him, that what was said by the petitioners, in the beginning of the petition, that that House was not, in fact, what they were obliged, in form, to call them, was so highly disrespectful to the House, that they would altogether lose sight of what was due to their own dignity, if they should allow the petition to be brought up.

Mr. GREY said, he had hoped that the honourable gentleman would not have confined himself to the general objection which he had mentioned, but would have pointed out some specific expressions, particularly indecent and disrespectful to the House. The petition from the town of Nottingham had been alluded to, and it had been said that, if no difference could be shewn between that petition and it, the present ought to share the same fate that it had done. He, for one, did certainly think that the Nottingham petition ought to have been received; but, on the supposition that the rejection of that petition had been right, it was surely incumbent on those who, on the ground of that precedent, opposed the present petition, to point

out the particular expressions in it, which are similar to those which had been supposed objectionable in the Nottingham petition. He could see nothing disrespectful in this petition—nothing for which he thought it necessary to state an extenuation. If any thing contained in it should be so construed, and the petition, on that account, rejected, gentlemen might say, as they pleased, that the people had a right to petition for a reform of the representation in Parliament; but they would deny to them, in the same breath, the power of exercising such right. Did he conceive that the House of Commons are, at this moment, in a just sense of the word, a proper representation of the people in Parliament, he would not certainly bring forward that motion, of which he had given notice, and which he meant to submit to the consideration of the House on Monday. Had the petitioners been of that opinion, they would not have petitioned the House. With what decency, he would ask, can honourable gentlemen say, that those sentiments and expressions are indecent and disrespectful to that House, which they themselves have, over and over again, expressed to their constituents? The right honourable gentleman opposite to him (Mr. Pitt) had done so; a noble Duke (Richmond) had done so also. Petitions too, for the same purpose with the present, and couched in language no less strong, had been on former occasions presented and received by the House. One petition had been presented from the county of Nottingham, brought forward when the right honourable gentleman (Mr. Pitt) was Minister, in the year 1785, and received by the House. This petition Mr. Grey read, which stated, in general, that the petitioners had been taught to revere the constitution, and, while things went well, they had retained that belief; but fatal experience had undeceived them, and taught them that the prosperity of former times had been derived only from the better spirit of the times, &c. He then maintained, that nothing was stated in the present petition which had not been stated, in equally plain terms, in the petition which he had just read, and in others which had been received by the House. Were they then, he would ask, to tell the people, that, instead of acting upon one uniform rule of right and justice, they were to be regulated by whim, or by what might be convenient at the time, to the interest of certain persons? No-



thing was, in his mind, so essential to the procuring respect to that House, as consistency in its proceedings ; and nothing could be so derogatory to its dignity, as to encourage the people to state fairly their grievances, and then, when they did come forward with a fair statement, to turn short round upon them, and refuse to receive their petitions, upon a little inaccuracy of expression. In his opinion the House could not do so, with any regard to its own dignity, or without forfeiting all claim to respect ; and he must therefore give his vote for receiving the petition.

Mr. WILBERFORCE said, that it appeared to him that the honourable gentleman who spoke last had confounded two things which were perfectly distinct ; and upon that very distinction he grounded his sentiments with respect to this petition. The honourable gentleman seemed to suppose, that the petitioners must have a right to state in their petition whatever he might speak in his place in the House, and in the same terms. To this doctrine it was impossible for him to subscribe. Liberty of speech, and freedom of discussion, in that House, formed an essential part of the constitution of this country ; but it was necessary that persons coming forward as petitioners, should address the House in decent and respectful language ; in saying this, he stood up, not for the dignity of the House of Commons only, but for that of the whole Commons of Great Britain. Those who wished that any respect should be paid to that House, were called upon to give the most determined opposition, to what rather seemed to be a systematic design, of presenting petitions to the House, couched in the most indecent and disrespectful language, for the purpose of trying how far they would bear with such insults, and perhaps even with the view of their being rejected. This, he conceived, was not more injurious to the House than to the honourable gentleman (Mr. Grey) himself, and to all those who wished for a moderate reform ; for what could tend more to confound those who aim at reform of any kind, with those who wish to overthrow the constitution, and with the people who are commonly called Jacobins ? He concluded with saying, that, though Member for the county from whence the petition came, he thought it so highly indecent and disrespectful to the House, that he felt he could not do otherwise than vote against its being received.

Mr. LAMBTON said, that any diffidence which the petitioners might have expressed as to the honourable gentleman who spoke last, or his colleague, presenting their petition, he must presume to have been rather the effect of their total silence last year, with respect to the subject of it, than from any idea of its containing expressions disrespectful to the House. He wished, indeed, that honourable gentleman would take the trouble to point out any expressions of disrespect. The petition had been said to come from ignorant tradesmen, and if so, polished language was hardly to be expected; but why did not the honourable gentleman and his colleague advise them to alter or soften any expression which seemed to them improper? He must conclude they had not done so, because they wished the petition to be rejected.

Mr. WILBERFORCE explained, that although he thought many passages in the petition extremely objectionable, yet had the first passage been omitted, which he chiefly objected to, and which went to deny the constitutional existence of that House, he would have given his vote for receiving the petition. With respect to what had been said of his own conduct, and that of his colleague, in not giving their advice to the petitioners, they had not done so, because they supposed they had better advisers, whose opinions they would be more apt to be influenced by.

Mr. DUNCOMBE also explained.

Mr. FOX said, that he had not seen the petition, and knew nothing of its contents, but what he had collected in the course of the debate; but, if the prayer of it was, as he understood it to be, for universal personal representation, he begged leave to say, that there was not in the House a more steady enemy to any such mode of representation, than the Member who had then the honour to address them. But, notwithstanding this, he thought himself bound in duty to vote that the petition should be brought up. It was certainly his opinion that petitions to that House ought to be in respectful language; meaning however to be understood, that they ought to be as respectful as can be, consistent with the full freedom of stating those grievances which may be complained of in the prayers of such petitions. If the objectionable matter should be wholly irrelevant to the prayer, and evidently introduced only with the view of shewing disrespect to the House, he would be of opinion that

such a petition ought to be rejected; but, if the terms of the petition were relevant to the prayer, the expressions must be very strong indeed, which would, in his mind, authorise its rejection.—In this respect, however, he did not go quite so far as some others, and particularly the present Lord Chancellor, who, on the memorable occasion of the Middlesex election, had thought, and had distinctly so expressed himself, that the right of the people was so strong to petition the King, Lords, and Commons, that nothing contained in the petition, however objectionable, if relevant to the prayer of it, could authorise its rejection. This doctrine had been then applied by that noble Lord, to the petition and remonstrance of the city of London, containing the monstrous doctrine, that the Parliament was so fundamentally vitiated, that they had no power to enact laws, or to exercise any legislative authority. In this case it was his opinion that the doctrine had been pushed too far. As he had never seen the petition which was now the subject of discussion, he could not say decisively, that there were no objectionable parts in it; but, if the objection was limited to the first part of the petition, he was so far from thinking it disrespectful, that he thought it absolutely necessary, in support of the prayer of the petition, for the petitioners to state that the House of Commons is not virtually, and, in the just sense of the word, the true representatives of the people of England. It had been said, that there was a material distinction betwixt the language which might be spoken in the course of debate in that House, and the language which was proper and decent to be made use of in petitions. It had been said that freedom of speech was an essential part of the Constitution. But is not the freedom of petitioning equally so? and, if so, may not petitioners state their grievances in strong terms? He could not see with what propriety this petition could be rejected, unless they were to say that they would reject all petitions praying for universal personal representation; for his part he would not refuse to admit them, because he did not conceive himself entitled so to do, though he was pretty well assured that he could never agree to such a proposition. The petition from the county of Nottingham, in 1785, which had been received by the House, seemed to him much stronger than the present. The petitioners there said, that they had

thought the Constitution good, till awaked by the calamitous consequences of the American war:—That petition did not go against the form of the representation, but against the whole Constitution. It was therefore his opinion that the present petition ought to be received. Where he to be asked, whether there was any petition which he would reject? he would answer that he would certainly be for rejecting any petition, which should deviate from the subject of its prayer, for the evident purpose of insulting the House; or where such insult appeared clearly to be the object of it, instead of the remedy of the grievance complained of. If the House should reject the petition, it might tend to impress the people with a belief that they felt sore upon the subject, and in this view he thought it impolitic as well as unjust. He had always wished to preserve the respect of that House, which he had ever considered of the highest importance. Important, from the danger which must arise to the Constitution from its being no longer able to operate as a check upon the Crown; and from the danger of the Crown, and that House becoming unable to oppose the progress of lawless anarchy. The best way to preserve the respect of the House was, to shew a kindness to the people, and not to treat them with disdain. It was indeed somewhat surprising, that those who opposed so much every species of innovation, should now wish to adopt a mode of proceeding so new; the House had, in 1785, received the petition from the county of Nottingham, which he had already mentioned; they had also received others, on the same subject, in 1783 and 1784, expressed in terms not less strong than the present one. An honourable gentleman (Mr. Wilberforce,) had said, that it may be right to receive a petition at one time, and not at another; but he had not stated in what the difference consisted betwixt the year 1785, and the present time. One essential difference was, that the right honourable gentleman opposite to him (Mr. Pitt) had now changed his mind. That right honourable gentleman, at that time, was a supporter of reform, and every petition in favour of it was of course received. What other difference the honourable gentleman might allude to he could not tell: for, was not this a period when the strongest attachment had been shewn to the Constitution, while, in 1785, the idea of that extraordinary system of general representation,

was even entertained and avowed by Members of His Majesty's Cabinet. In his opinion there was no way so likely to persuade the people that they have few grievances, as when the House shewed themselves willing to investigate them.— There was, somehow, an idea of a different kind always entertained by the people, when their superiors seemed averse to listen to their complaints. He would therefore conclude with giving his vote for bringing up the petition.

Mr. Secretary DUNDAS said, that, with respect to the allusions which had been made by the right honourable gentleman who had just sat down, as to the opinion said to have been given by a noble Lord (the Lord Chancellor) at a former period; as he was not in the House at the time, he had no personal knowledge of what then passed; but, if the noble Lord had expressed himself in the precise manner which had been stated, it would only be a proof, that very wise and very able men may sometimes say very foolish things. He conceived the petition now in question to be highly indecent and disrespectful; it seemed to him to be just the same as if a person going to petition His Majesty, with the crown upon his head, should say to His Majesty, that seeing him wear the crown, he was obliged, in point of form, to petition him, but that he must tell him he had no right to wear it; or if, in presenting a petition to the House of Lords, he should tell their Lordships, that he knew they had no right to sit in that House. Such was the language now held to the House of Commons in the present petition; and he did not think that the words which were introduced, and had been so much rested upon, viz. “ in the just sense of the words,” made any difference whatever: in his opinion the House would show rather a bad taste, if they received such a petition; and it seemed indeed to him as if the petitioners had had a desire to offer something to the House which they would be under the necessity of rejecting. Why should gentlemen have recourse to the petition from the county of Nottingham, which had been presented many years ago, and not rather to that from the town of Nottingham, within these few weeks? The present petitioners would from thence be taught what they ought to do; they were then told that they might state their grievances as strongly as they pleased, but they must do it in decent and respectful

terms; they must not address that House as a House of Commons, and at the same time deny its existence. He must therefore give his vote for rejecting this petition; which he would do with the less reluctance, because he knew the petitioners had it in their power to present a petition next day to the very same effect, stating their grievances with no less precision and distinctness, and at the same time in such terms, that the House could have no difficulty in receiving it.

Mr. SHERIDAN said, that he should not advert to all the singular expressions of the right honourable gentleman (Mr. Dundas) but one appeared to him to be deserving of some notice, namely, that it sometimes happened that a very wise man said a very foolish thing. The conclusion which the honourable gentleman evidently wished the House to draw from this observation, was, that the present Chancellor, who made use of the expression alluded to, said a very foolish thing, and such as in the sober hour of reflection he would condemn.—His present situation allowed him that reflection, and he had no doubt but that high and exalted character had availed himself of the advantage of that situation, and thought many things which he said on various other occasions were now very foolish things. That noble and learned Lord had formerly said that the right honourable gentleman, and others with whom he acted, had obtained the power which they now held in a manner perfectly unconstitutional, and as a precedent highly dangerous to this country—that the noble and learned Lord, he had no doubt, now thought a very foolish observation. He had also highly reprobated the conduct of the Members of the present administration, with respect to the regulation of the affairs of India, and particularly with respect to the India bill; he had said that the whole of the measure was of a nature so flagrant that it ought to have forfeited His Majesty's Ministers the confidence of the Public—that also, he now, no doubt, thought a very foolish thing. With respect to the present petition being in language not sufficiently respectful, he maintained, that the Nottingham petition, to which his honourable friend had alluded, was much stronger than the present; and he must confess, he suspected that the objection to the roughness of the language was not the real cause why this petition was opposed; he was confirmed in this opinion, by a recol-

lection of the conduct of the Chancellor of the Exchequer, at the time of presenting the Nottingham petition. And as to the observation of the right honourable gentleman (Mr. Dundas,) that the House would not shew its taste by receiving this petition, he could only say, that this petition being drawn up by poor and plain mechanics, they had not the power of explaining their thoughts in that attack elegance of style, for which the right honourable gentleman was so eminently distinguished. Whether the petition could have been better worded to please some honourable Members of that House was foreign from the present subject of debate: but for the petitioners to have expressed their thoughts better, or ~~expressed the subject~~ at all of their grievance, he maintained to be impossible. They said that the House of Commons is not, in the just sense of the words, what they were, from form, obliged to term it, the Commons of Great Britain in Parliament assembled. That was the very grievance they complained of, and they were mild in the choice of their expressions, for if they had said that the House of Commons at present were not the Commons of Great Britain in Parliament assembled, they would not have been justified; but they went to no such offensive length in their expressions, for they had, in the just sense of the words, shewed the respect they had for the House as it was now constituted; but they went still farther, for they added that they for form were obliged to term them so. That the House as now formed, was the Commons in Parliament assembled, was a bold assertion. Would the right honourable gentleman say they were so? These things considered, he was ready to affirm that in this opinion there was not a more respectful style to be adopted, consistently with the spirit of the petition and the nature of the grievance it complained of, and the remedy it called for. He said the language of the petition was correct; and he would ask the gentlemen who objected to it, to say, that they would undertake to prove it was not true; the fact was, that they felt sincerely the truth of it. As to the manner in which the debate was to be carried on for Monday next, he knew nothing of it; how the event should happen did not belong to him to anticipate; he feared, however, from the spirit of exultation which he perceived on the other side, when that subject was alluded to, that confidence was entertained his

honourable friend's motion would be negatived. It was not possible for him to say, that it would not then appear to certain gentlemen, and particularly to the Chancellor of the Exchequer, that what was thought wise at one time, might be thought foolish at another; and that what was foolish at one time might be wise at another. These things were explained to that right honourable gentleman by his great preceptor, the right honourable Secretary of State, and he had not the least doubt but that they were explained to his satisfaction; in this idea he was a good deal confirmed, by the solemn silence of the right honourable gentleman. He had no doubt that Parliamentary Reform appeared to that right honourable gentleman now a very foolish thing. The anticipation however of such an event, he was sure, would not discourage his honourable friend in the cause in which he had embarked. And as to petitions and the squeamish nicety which had appeared of late about receiving them, unless penned in such and such language, he had no difficulty in saying, that the House would soon be compelled to receive them. He had no wish to say any thing that should tend to bring the dignity of that House into question; on the contrary, he wished to see it supported. But, with regard to the present petition, his duty compelled him to say, that if the petition was rejected, it would not be because it was disrespectful in language, but because it told the truth.

Mr. BOUVERIE said he was, and always had been, for receiving petitions, but not for insulting that House. The petitioners in this case had only stated a grievance, which ought in his opinion to be attended to. Perhaps it might have been more properly worded: but he did not see any thing that should have induced him at any time, particularly at this time, to vote for its rejection.

Mr. Chancellor PITT said, it did not appear to him to be necessary for him to trouble the House much at length on the present occasion. As to the silence to which an honourable gentleman had alluded, he could only say that, considering the nature of his situation, and the frequent occasions he had to address them, an apology from him would be oftener wanted for speaking than for remaining silent. He had another reason for remaining silent until now, which was, that many things he heard in this debate had been already answered, and many



required no answer. He had heard a great deal of what happened some time ago in debates in that House, with respect to the right of petitioning; and the arguments of a noble Lord had been alluded to upon that subject; what that noble Lord had said upon that occasion, he knew not, but it did not seem to him to be detailed to-day in a language sufficiently accurate to influence the decision of that House upon the present question. He did not know that it was strictly regular to take notice of what was intended to be done on the debate on Monday. But he would say, that when the question of a Parliamentary Reform came to be agitated, he should submit to the House reasons why he thought that a Parliamentary Reform, in whatever shape it may come, should be opposed at the present time. And he should also compare the sentiments he entertained at this time with those he had formed upon a former occasion. But he begged now to observe, that the question at present before the House was, whether the nature of the petition presented to them was such as they ought to receive, and whether it did not contain matter of evident disrespect to the House? The expressions which had been complained of were clearly unnecessarily introduced; and that of itself, appeared to him to be a reason for thinking that the disrespect was intentional. With respect to the observation, that it was an object with those who objected to this petition, to reject it, because of the truth of it, and with a view that its contents might not be known, he must say, that nothing remained to be known at present upon that subject, but whether the House of Commons would or would not receive it; the contents of the petition itself were already sufficiently well known. But the reasons on which he grounded his objection to the receiving the petition was, that it did not acknowledge the House to be of a character legally established to redress any grievance at all, because it did not state them as the Commons of Great Britain, but such as the petitioners were bound to term the Commons of Great Britain. Also, that the petitioners had not stated any means by which they conceived that the form should be amended—nothing by which the Constitution should be more secure; nothing by which their rights and privileges could be better protected or secured. He concluded with giving his dissent to the bringing up of this petition.

Mr. FOX explained, and said he was confident of the words he quoted from the speech of the present Lord Chancellor. It was not his only, but it was also the opinion of Mr. Grenville, and he believed others who were still Members of that House. He, however, had no difficulty in saying, that if a petition was presented to that House, denying its power to act as the representative body for the people, to raise supplies, and so on, that would tend to bring the power of that House into public contempt, and therefore to the rejection of such a petition he should give his negative; but there was nothing of that nature in the present petition, and therefore he should vote for its being now received.

Mr. WHITBREAD said, he saw no reason for rejecting this petition, on account of its being worded disrespectfully to the House. The petitioners had allowed that the present House stood in the place of what ought to be the Commons of Great Britain in Parliament assembled. And they allowed that the present House had the power to proceed to the redress of the grievances complained of, by originating a bill for that purpose. As to the observation of the right honourable gentleman, that if a petition were presented to the King, saying, "you have no right to the crown you have upon your head," Mr. Whitbread said, he conceived that would be high treason, and punishable as such, and therefore was not to be compared to a petition for the redress of a grievance. The same objection was applicable to the right honourable gentleman's observation upon a petition that might be presented to the House of Lords, stating it to be improper that there should be a privileged order of men, and demanding that no Peers should in future be created. That petition would be irregular, because it was the King alone who had the power of creating a nobility.—But the present petitioners had a right to address that House, and in the language of the present petition; for if the grievance was not to be stated, the remedy could not be applied.

Mr. GREY explained. He said, that he was willing to state freely what had happened with regard to himself, and those with whom he had acted. He had no connection with those who had presented this petition; he had no share whatever in the business, until the petition was signed, then it came to him; and he said, on perusing it, he saw in it nothing which

in his opinion ought to induce the House of Commons to reject it. He hoped the House would receive that explanation of his conduct in answer to some allusions which had been made. This petition he certainly did not advise; though if he had, he should not be sorry, for he saw nothing in it that was improper.

The House divided.

For receiving the petition, 29; Against it, 108.

Mr. WHITBREAD then presented a petition from the inhabitants of Birmingham, signed by 2,720 persons, of which the following is a copy :

To the Honourable the Commons of Great Britain in Parliament assembled.

The Petition of the Inhabitants of the Town of Birmingham,

Humbly Sheweth,

“ That, according to the undisputed principles and forms of the Constitution, the Government of this kingdom ought to be by King, Lords, and Commons; that the three estates, in the exercise of their respective functions, ought to be independent of each other; that the third estate, professing by its title to be, what the Constitution intended it should be, “ The Commons of Great Britain in Parliament assembled,” ought to be freely elected by the Commons of the kingdom, or by a majority thereof; that, on the contrary, it is notorious, that Members of the House of Commons, instead of being so elected, which alone could make them a real representation of the people, are in many instances appointed by the direct authority or influence of the Executive Power; in many others, by the sole choice of powerful individuals; and, in a still greater number, by little bodies of men, to the general exclusion of the Commons of Great Britain; that in those places where the choice of Members to serve in Parliament being left in the hands of a great number of electors, has more the appearance of a popular act, the elections are in general conducted in such a manner, and success obtained by such means, as to become a source of ruin to the candidates, and of riot, disorder, debauchery, and prostitution of every sort among the people; that, independent of the numberless illegal returns obtained by bribery, the right of election is, in many cases, so ill ascertained, and the fictions to which it is attached are so doubtful or obscure, as to become the source and the subject of perpetual litigation; that, in trying the validity of such returns, the time of the House of Commons is wasted, the business of the nation is embarrassed or retarded, and the most scandalous scenes of perjury and corruption laid open without redress or remedy, while the persons returned against right, occupy the place of those who have been duly elected, for several sessions in some cases, sitting and voting in Parliament, deciding on the interests, and disposing of the property of the people, from whom it appears at length that they have received no trust, commission, or delegation whatsoever; that a House of Com-

mons, so constituted, cannot be considered as a true representative of the will, or judgement of the Commons, or as a faithful guardian of the interests of the people.

“ That your petitioners are convinced, that the enormous debt in which the nation is involved, and the intolerable taxes which they are compelled to pay, would not have existed, and that the vital blood of this country would not have been wasted, as it has been, in so many ruinous and unnecessary wars, if the House of Commons had been heretofore so constructed, as to possess either the inclination or the capacity to perform the functions that belong to their station; and that, upon a review of the circumstances of the nation, we cannot believe that a people, who pay above twenty millions a year in direct taxes, could have been loaded with a debt of two hundred and fifty millions, if that body of men, to whom the care of the public purse is especially entrusted, had been really the representatives of the people, voting under the impression of a common interest, and without any temptation of private advantage, to seduce or influence their judgement in the performance of their duty.

“ Your petitioners therefore, relying on the virtue of some, and on the prudence of many individuals, humbly request that this honourable House will forthwith take these premises into their serious consideration, and adopt such a plan for a thorough reform in the representation of the Commons in Parliament, as may, in the first place, make it derive its existence from the free choice of the people, as may secure its independence when chosen, and finally, make the measure of shortening the duration of Parliaments as safe as it is indispensably necessary.”

On the question being put, and the voices heard, the Speaker, by mistake we presume, said the Noes had it.

The House divided;

Ayes, for receiving the petition, 102; Noes, 24.

A petition of a similar nature was presented by Mr. Lambton, for the city of Durham and its neighbourhood, signed by a great number of persons. This petition was also received, and ordered to be laid on the table.

Mr. WHITBREAD gave notice, that on account of the pressure of other business, he should not bring forward his motion upon the King's proclamation of the 20th of February last, but that he should bring it forward this day se'nnight.

Mr. Chancellor PITT moved the order of the day, which was for the second reading of the bill, for issuing five millions upon Exchequer bills, and for the support of public credit.

The bill was accordingly read a second time, and ordered to be committed to a Committee of the whole House to-morrow.

Mr. Secretary DUNDAS moved the order of the day for the House to resolve itself into a Committee of the whole House

on the state of the Government and Trade of India. The House having resolved itself into a Committee accordingly,

Mr. Secretary Dundas moved the sixth resolution, as follows :

“ That it appears to be fit and proper to continue to the  
 “ East-India Company their exclusive trade, within the limits  
 “ now enjoyed by them, for a farther term of twenty years,  
 “ to be computed from the 1st of March, 1794, liable to be  
 “ discontinued at the end of such period, if three years notice  
 “ shall previously be given by Parliament ; subject, nevertheless,  
 “ to the regulations herein-after specified, for promoting  
 “ the export of goods, wares, and merchandizes, of the  
 “ growth, produce, or manufacture of Great Britain or Ireland,  
 “ and for encouraging individuals to carry on trade to  
 “ and from the East Indies.”

Mr. FRANCIS said, that he should take no farther part in the discussion of this measure; except to protest against it. The same fraud and falsehood ran through every part of the plan. In one place, it pretended to *continue* the territorial acquisitions and revenues *in the possession of the East-India Company*, while in fact it vested them in the present Ministers of the Crown, through the nominal medium of a Court of Directors ; and not, as it should have been, avowedly in the Crown itself. In the other, it pretended to continue to the East-India Company their *exclusive* trade ; when, in fact, under the name of regulations, it invited and *encouraged individuals to carry on trade to and from the East Indies* ; that is, it really laid the trade open. All that the Company had to do, or rather would be *under an obligation to do*, was *to provide, at reasonable rates of freight, three thousand tons of shipping every year, for carrying out to India the private trade of individuals, and for bringing back the returns of the same* ! Such was the charter of trade to the India Company which was now to be renewed, and which the right honourable gentleman thought fit to call *exclusive*. He could easily conceive what purposes might be answered, and what interests might be served, by renewing the charter in this form, under a false general title, and then taking it away in the detail. But they were such as no man would avow, and such as the House of Commons could never admit or countenance, if they were avowed. All that was exacted of them now, was to

pretend to be deceived by the grossest fallacies, and to swallow the most palpable contradictions.

Mr. FOX said, that the whole of the business was conducted in a manner which he exceedingly lamented. He wished a Committee had been appointed to discuss the question first, and that the whole should be afterwards discussed in the House; but the resolutions were now almost a matter of course. However, when the subject came before the House, he should have many objections to make; these, he thought, ought to come when the resolutions came to be reported.

Mr. SHERIDAN said, he should not enter into any argument now upon the subject; he should be ready to do so on a future day: he had many observations to make upon the subject of the patronage which would be created by the present plan. He said also, that he was decidedly of opinion it would be better that the trade should be laid open.

Mr. Secretary DUNDAS expressed his readiness to meet the honourable gentleman.

The propositions were gone through and agreed to; as were also the following additional resolutions, moved by Mr. Dundas:

“ That it is the opinion of this Committee, that it will be for the mutual convenience and advantage of the Public, the East-India Company, and the holders of certain annuities, to the amount of 2,992,440*l.* 5*s.* capital, carrying an interest after the rate of 3 per cent. per annum, amounting to 89,773*l.* 15*s.* (being part of the sum of 4,200,000*l.* due and owing by the Public to the said Company) and which were sold by the said Company, by virtue of an act of Parliament of the 23d year of King George II. that the said annuities, and likewise certain other annuities to the amount of 1,207,559*l.* 15*s.* capital, bearing an interest, after the like rate of 3 per cent. per annum, amounting to 36,226*l.* 16*s.* (being the remainder of the sum of 4,200,000*l.* due by the Public to the said Company) and which, by virtue of different acts of Parliament, the Company have been empowered to sell or mortgage, be placed, with the consent of the said Company and annuitants, under the management of the Governor and Company of the Bank of England, and be engrafted upon, and consolidated with, the stock called 3 per cent. reduced annuities, payable at the Bank; and such

engraftment and consolidation, deemed and taken to be a redemption of the said several loans, as between the Public and the said East-India Company, and that instead of the annual sum of 126,000*l.* in respect of the annuities aforesaid, with an allowance for charges of management, being issued at the Exchequer to the said Company, the said annual sum be in future issued at the Exchequer to the Governor and Company of the Bank of England, for the use of the said East-India Company, and the said annuitants, according to their respective shares, and that the allowances made to the said Company, in pursuance of an act of 24th of King George II. for the charges and expences attending the receiving, paying, transferring, and transacting the affairs of the said annuitants, amounting to 1,687*l.* per annum, be made to cease and determine."

" That it is the opinion of this Committee, that the power of the East-India Company, to sell or mortgage their share of the said annuities, be preserved to them ; and that after the said engraftment or consolidation, the shares of the several annuitants, and of the said Company, shall be subject to the like trusts and incumbrances, as would have obtained, if no such engraftment or change of management had taken place ; and that the said annuities be made subject to redemption by the Public."

" That it is the opinion of this Committee, that if under the present embassy to the Court of Pekin, any cession of territory shall be obtained, distinct and separate from the Continent of China, and wholly free from any jurisdiction or authority of the Chinese Government ; in that case, and so long as the same shall so remain, individuals shall be permitted, under such regulations and restrictions as shall be approved by the Board of Commissioners for the Affairs of India, to export British and Irish merchandize in the Company's ships, at a moderate rate of freight, the same being consigned to the Company's supracargoes, or such other persons as the Company, with the approbation of the said Board of Commissioners, shall license to reside for that purpose only ; and that such persons shall be restrained from any connection or intercourse with the Continent of China, from any other trade or concern whatever, save and except the sale of British and Irish manufactures before mentioned, and from any interference with the affairs of

the Company, and be subject to the usual covenants entered into by the servants of the Company, they paying the produce into the Company's treasury for bills at the actual rate of exchange at the time ; but that no person whatever be permitted to reside in any place or places so ceded, or to trade or communicate with any port or place in China, who is not a servant of the Company."

The report was ordered to be received on Tuesday next ; and in order to introduce some additional propositions, leave was given to the Committee to sit again on that day.

The House adjourned.

*Friday, 3d May.*

Mr. ROSE moved, " That the order for the second reading of the Stockbridge Incapacitating bill on Monday next, should be read," which being done,

Mr. ROSE again rose, and stated himself to be an enemy, in general, to all bills of pains and penalties. In the present case, the bill went to disqualify upwards of sixty electors of the borough of Stockbridge, against none of whom, as it appeared to him, was any direct proof of bribery or corruption brought home by the evidence ; he disapproved entirely of the principle of the bill, and would therefore conclude with moving, that the order for its second reading on Monday next, should be discharged.

Mr. FRANCIS said, he could not restrain himself from congratulating the worthy independent electors of Stockbridge, on the powerful security now held out to them, in the respectable protection of the Secretary of the Treasury, who, on this occasion, had frankly declared himself an enemy in general to all bills of pains and penalties for bribery and corruption. On such a subject, the honourable gentleman's authority was great, for his experience must be considerable, and his knowledge extensive. The cause and the patron had a natural relation, and were perfectly worthy of one another.

Mr. Francis said that he should agree in the motion for discharging the order, though not for any of the reasons assigned by the worthy Secretary. He had already given his opinion at large of the bill, when it was first under discussion, on the 11th of April. At present, therefore, he should content himself



with repeating what he had then said, that he had no sort of doubt of the guilt of the persons named in the bill, nor of the corrupt character of the whole borough; but as he was sure that the disease, of which the practice at Stockbridge was nothing but a symptom, prevailed universally through the kingdom, he thought it equally inconsistent with his personal honour and public duty, to make himself a party to partial correctives for general abuses, even if the correctives were real and effective, as far as they went; and, much more so, to false and hypocritical remedies for a real, deep, and rooted evil; for an evil which might be, and ought to be eradicated, but which otherwise, in its nature, was incapable of being cured.

A debate of some length took place upon this motion, which was supported by Mr. Duncombe, the Master of the Rolls, Mr. Courtenay, Mr. Sheridan, Mr. Wilberforce, &c. and opposed by Mr. Baker, Mr. Buxton, Mr. Serjeant Watson, Sir Francis Basset, &c.

The House divided,

Ayes, for the motion, 53; Noes, 27.

Majority against the bill 26.

Mr. COURTENAY said he rose to submit his reasons to the House, in a few words, why he was induced to defer the motion he intended to have made this day, to the next session. This explanation seemed to him to be necessary, both from the respect he owed the House, after having given notice of his intention, and lest it should be understood that he did not mean to persevere by every possible mode, and by every possible exertion in his power, to relieve those unfortunate women, who had been so long confined in the jail of Nottingham, not for having acted either criminally or immorally, but because they had acted conscientiously, though perhaps too scrupulously.

Mr. Courtenay said, he had made it his particular business to inquire into the singular circumstances of their situation, and was persuaded that no motion he could bring forward at present, could be of any essential service to them. The legal process in consequence of which they are now confined did not originate in the Ecclesiastical Court, the churchwardens of the parish having presented Mrs. Roe and Mrs. Bush by their maiden names to the Chapter at the collegiate church, under

an apprehension that their bastard children might become burdensome to the parish; this was perhaps invidiously done, and in the mean and malicious spirit of parochial bigotry and oppression. If it be the laudable moral principle and practice of this religious society to maintain their own poor, as public notice had been given in the meeting-house of Claverton of the intended marriage of these women, and a certificate signed by the parties, and properly witnessed, that such marriage had actually taken place according to the forms and ceremonies of the society, Mrs. Bush, and Mrs. Roe, therefore conceived, that answering the citation by their maiden names, would in fact have been an explicit and direct avowal of their marriage, and consequently of the illegitimacy of their children, as they thought themselves fairly entitled to the exemption extended to Jews and Quakers by the 26 of Geo. II. However it appears by their own printed case, that the original Quakers have been applied to by the justices, respecting this religious society; and the brethren had thought it either proper or expedient to disown them, as perhaps they have deviated in some trivial points from the orthodoxy of Quakerism. Notwithstanding this, it is by no means clear, but that on a liberal construction of the marriage act of the 26th of Geo. II. this very society hitherto deemed heterodox by the brethren, might be adjudged to be fairly entitled to a privilege exclusively since the year 1753, confined to Jews and Quakers, contrary to the true and genuine principles of toleration. But this question cannot be argued in the Ecclesiastical Court, till these women appear, as in consequence of their repeatedly refusing to answer the citation, they were committed for contumacy, by the writ *excommunicato capiendo*, the usual, and indeed the only method the Ecclesiastical Court has of enforcing its jurisdiction. From these considerations, Mr. Courtenay said, he thought himself (however reluctantly) obliged to defer agitating any specific question on this subject till next session, which he would then do on a more extensive scale, as in the course of this investigation he found, that the lower rank of people of both sexes are still grievously oppressed and persecuted by the mode, principle, and practice of carrying on suits in Ecclesiastical Courts, and by their being still subjected to penances equally shameful and inefficacious; and which are eagerly enforced, chiefly for the

purpose of extorting money from the devoted penitents, by a gracious commutation of the penance into a pecuniary fee, which is deemed a full and ample compensation for sin, by virtue of this dispensing power, which these reverend, inquisitorial, and sanctimonious Courts, in the true *jure divino* hereditary spirit of their archetype, the church of Rome, have assumed, or still exercise, over His Majesty's subjects of this free realm. This country, Mr. Courtenay added, was greatly indebted to the spirit and meritorious exertions of an honourable gentleman (Mr. Bastard), who had carried a bill through that House in the year 1786, to prevent frivolous and vexatious suits in the ecclesiastical Courts, and for the more easy recovery of small tithes. Though this bill was thrown out in the other House, yet in the ensuing session of 1787, some of the grievances were then redressed; much still remained to be done. He should hope for the assistance and support of that honourable gentleman, and therefore would postpone his intended motion for the reasons he had already alledged, more especially as at this late period of the session, and considering the very pressing and critical business then before the House, he could not expect that attention gentlemen would pay to a question of this nature introduced by him, which he flattered himself they otherwise would do, from the very great importance of the subject.

General SMITH moved, that certain letters, or extracts of letters, and political correspondence betwixt the President and Council of Fort St. George, and the Court of Directors of the East-India Company, &c. should be laid before the House.—Ordered.

Mr. SHERIDAN said, he held in his hand a petition from a great number of respectable heritors, merchants, manufacturers, &c. of the city of Glasgow, praying for a reform of the representation of the people in Parliament: he did not know the exact number of persons who had signed the petition, but some guess of it might perhaps be made by the House, when he stated, that, although the names were written very close, the petition was just 50 yards long:—He then moved that the petition be brought up; upon which some Members called out to him to read the petition.

Mr. SHERIDAN stated, that he conceived that, by the forms of the House, a Member was not bound to do more, when he moved that a petition should be brought up, than to state generally to the House what was the purport of it, and what the prayer of it was; and, if it respected a matter as to which the House had cognizance, and prayed a remedy, which the House had power to grant, it ought to be brought up, nor could the Member presenting it be called upon to read it. When it had been brought up, and came to be read by the clerk, if any improper or disrespectful expressions appeared in it, the House might then reject it, instead of allowing it to lie upon the table. He said, that he believed this petition was expressed very nearly in the same terms, with a former petition from the same city, which the House had received; but he must beg leave to decline reading it, for no other reason, than that he conceived what had been done last night with respect to the Sheffield petition, was contrary to the forms and rules of the House; and he wished the mode of proceeding to be brought back to the established custom.

Mr. MONTAGUE said, that if it was at all consistent with form, he would wish to move the previous question upon the motion, for bringing up the petition; and, if he succeeded in that, to make a motion that the honourable gentleman should be required to read the petition.

The SPEAKER said, that this would not be consonant to the practice of the House, and he did not conceive that any thing more could be required of a Member, who moved, that a petition should be brought up, than merely to state the general purport of it, and the remedy or redress prayed for.

The petition was then brought up, read, and ordered to lie on the table.

Mr. SHERIDAN brought up another petition to the same purpose, from Dunleven, in the environs of Dumbartonshire, which was also read, and ordered to lie on the table.

Mr. GREY brought up a petition from a number of inhabitants of the town of Alnwick in the county of Northumberland: one from Campsie, in Hirlingshire, was brought up by Mr. Thompson: another signed by a great number of heritors, merchants, &c. of the city of Glasgow; one from certain inhabitants of the town of Hamilton in the county of La-

mark; and one from certain inhabitants of the town of Kirkin-tulloch in Dumbartonshire, were brought up by Colonel Macleod. All which petitions were read, and ordered to lie on the table.

The House went into a Committee on the Liverpool credit bill, (Mr. Stanley in the chair.)

Mr. SHERIDAN said, he could not suffer this bill to go through the Committee without making some remarks upon it. He declared he was in the habit of entertaining a jealousy of all corporations. They held their property in trust for the people of the town of which they formed the corporate body. In this case, they might completely dissipate the property of the people. It was likely they might not be very nice in favouring and playing into each other's hands.

Mr. GASCOYNE said, the measure for which he desired the sanction of the House was not undertaken by the corporation, but by the whole town of Liverpool, where there was not an individual who did not cordially wish the bill to pass.

Mr. HUSSEY proposed a clause to prevent the corporation from alienating their real property, till their debts, as well those now due as the 250,000*l.* now to be raised by this bill, were liquidated. He proposed this clause, that the security offered by Parliament should not be illusory. With that provision he would give his concurrence to the bill.

After some conversation between the above-mentioned gentlemen, the Solicitor General, and Mr. Thornton, the bill passed the Committee, and was ordered to be reported to-morrow.

Mr. Chancellor PITT moved the order of the day, for the House to resolve into a Committee of the whole House on the bill to direct the issue of Exchequer bills for five millions in aid of the commercial credit of this country.

The House having resolved itself into a Committee accordingly, much discussion took place on the various provisions of the bill, after which the Committee passed through the whole of it, and ordered the report to be received to-morrow.

The following is a list of the Commissioners under whose direction the whole plan is to be carried on: Lord Sheffield, Sir Grey Cooper, Bart. Mr. Pulteney, Mr. Chifwell, Sir John Sinclair, Baronet, Mr. Alderman Anderson, Mr. R.

Smith, Mr. Bofanquet, Mr. T. Boddington, Mr. Manning, Mr. Whitmore, Mr. Baring, Mr. Hartley, Mr. Raikes, Mr. Forster, Mr. Darrel, Mr. C. Grant, Mr. G. Innes, Mr. Harman and Mr. Brogdon.

The places where the goods are to be deposited, as security under this bill for the aid to be given are, London, Bristol, Hull, Liverpool, Glasgow and Leith. The time for the first instalment is the 30th of September next.

Mr. SHERIDAN said, that though he agreed to the principle of the bill, he could not help thinking that the House should deliberately consider how the relief provided by it should be administered to the commercial world. The variety of things to be done, the number of applications to be considered, characters examined, Agents and Clerks to be appointed, and other duties to be discharged by the Commissioners, were so many bars in the way of their proceeding, that no calculation could be made of the time they must lose before they could effectually administer relief to the objects of the bill.

Mr. Chancellor PITT did not deny that the execution of the business would require diligence and ability: but he by no means thought, that in such hands it was impracticable. The question was, whether the House should abandon the mode laid down, or find a better?

The House adjourned.

*Saturday, 4th May.*

The report of the bill to enable His Majesty to issue five millions of Exchequer bills in aid of commercial credit in this country, was brought up. Many clauses were added to it, and other amendments made, after which the bill was ordered to be engrossed. By this bill, as it now stands, no sum less than four thousand pounds will be lent to any person on each application for aid under this plan. The bill was then ordered to be read a third time on Monday, if then engrossed.

The House adjourned.

*Monday, 6th May.*

Mr. WILBERFORCE said, he had two resolutions to move respecting religion, which he thought it most prudent to postpone till to-morrow, on account of the important business

which was to come on ; that the House might be fully apprised of the drift and object of the resolutions, he should read them both ; one went to assert that it was the duty of the House to study the welfare of every part of the British empire ; the other, which he said was little more than a transcript from former charters of the East-India Company, stated, that establishments for clergymen to perform Divine service in the different settlements of the Company ought to be made, and that a chaplain ought to be appointed to every ship in the Company's service of 600 tons or upwards. These resolutions, he said, he would submit to the consideration of the House to-morrow.

The order of the day was read for the third reading of the Commercial Credit bill, and it being read a third time, the Chancellor of the Exchequer brought up some new clauses ; one to allow the Commissioners named in the bill to sue and be sued in the name of their Secretary ; another to direct that all acts should be done by seven or more of the Commissioners, except in certain cases specially provided for, &c. ; which several clauses were agreed to, and ordered to be added to the bill by way of riders.

Mr. CURWEN said he felt himself called upon, in duty to his constituents, to state to the House the reason which occurred to him why the city of Carlisle should be included among the places where goods are to be deposited, and to take the opinion of the House upon the question. Since he had last had occasion to address them upon the subject, a very considerable house in Carlisle had stopped ; and in the present situation of the country more failures were to be feared. It would be peculiarly hard on the merchants, traders, and manufacturers there, if it should not be included in the bill as one of the places for the deposit of goods, because the goods manufactured there were generally of small profit and great bulk, and it was situated at the distance of about one hundred miles from Glasgow, and one hundred and twenty from Liverpool. Mr. Curwen concluded with moving, " that, after Liverpool, the city of Carlisle should be inserted."

Mr. Chancellor PITT said, there was nothing in the situation or circumstances of Carlisle which did not apply to many other places in the kingdom, and therefore, if this motion was

adopted, it might be expected that application would be made from all quarters for a similar indulgence in favour of other towns; and as he saw no ground for giving Carlisle the preference required by the honourable Member, he certainly intended to oppose his motion.

The Speaker having put the question on the motion,

Mr. CURWEN rose, and said, that, knowing the influence of the right honourable gentleman (Mr. Pitt), and not expecting that he should be able to work a miracle, he would not insist on dividing the House.

The bill was then passed, and ordered to be carried up to the Lords by the Chancellor of the Exchequer.

Lord George Henry Cavendish presented a petition from certain inhabitants of the town and neighbourhood of Derby, praying for a reform of the representation of the People in Parliament, which was brought up, and ordered to lie on the table.

Mr. Francis presented a petition to the same purport from about 6000 inhabitants of the cities of London and Westminster, and their vicinity. The petition stated, that if a specific plan of reform should be required from the petitioners, they would beg leave to refer to the plan which had been laid down by the Duke of Richmond ten years ago, which entirely met their approbation: this petition was also brought up, and ordered to lie on the table.

Mr. Browne presented a petition to the same effect from a number of inhabitants of the town of Poole in Dorsetshire.

Mr. Wharton presented a like petition from certain inhabitants in or near the parish of Aldgate, in the city of London, which was also brought up, and ordered to lie on the table.

Mr. HOBART stated, that he held in his hand a petition signed by upwards of 3700 inhabitants of parishes in the vicinity of the city of Norwich; but he doubted whether it could be received, as the names were subscribed to a printed copy of the petition, in breach of the orders of the House.

On the motion for bringing up the petition,

The SPEAKER stated, that in the year 1656 an order was made that no private petition, to be directed to the Parliament, be printed before it be presented to the House; and another order was afterwards made for the due execution of that order. He thought it right to call the attention of the House to the



time at which the order was made, being during the usurpation, and also to this circumstance, that it was not in the form of a standing order ; but he added at the same time, that it had been the practice and rule of the House to decline receiving any petition, either private or public, that had been previously printed ; at least he believed, and had been informed, that no printed petition had ever been received.

Mr. DUNCOMBE said a few words.

Mr. BURKE said, it seemed to deserve much consideration whether the House would do right in receiving a petition which had been circulated in print for the purpose of influencing the country, and only came there in the second instance, particularly when it was contrary to practice so to do, for he would not rest much on the order.

Mr. GREY observed, that the order, if at all to be regarded, related only to private petitions, and that, although the signatures in this case were subjoined to a printed petition, yet it did not appear that the petition had been circulated.

Mr. FOX said, that he could not go the length of saying that the House were not bound by any orders made during the usurpation ; but in this case there was no standing order. The reason and sense of the thing did not so much apply to a petition coming to the House in print, as to the fact, whether it had been previously printed and circulated. It was notorious, however, that almost in every private bill the petitions were printed and settled, and often advertised in the newspapers before they came to be presented to the House. In his opinion negative precedents were of little consequence, and he would therefore give his vote for bringing up the petition.

Mr. BURKE explained, that, in his opinion, the petition coming printed before the House made a material difference, because many things might be done abroad, out of that House, which they could not be acquainted with.

Mr. Chancellor PITT thought the House could not suffer the petition to be brought up without departing from usage. It had been said by an honourable gentleman opposite to him (Col. Macleod), that many of the petitions had come from the same shop ; and, had this mode been conceived to be regular and proper, it would, no doubt, have been adopted with regard to other petitions, and they would probably have come

from the same press. With regard to publishing petitions in the newspapers, the House perhaps might be ignorant of its having been done, and it might have been done without the knowledge of the parties. Upon the whole, he must oppose the bringing up the petition.

Lord WILLIAM RUSSELL and Mr. WILLIAM SMITH said each a few words in favour of receiving the petition.

Colonel MACLEOD said, that the expression that all the petitions had come from the same shop had not been made use of by him, but by a right honourable gentleman opposite to him (Mr. Dundas). He begged, therefore, that the right saddle might be put on the right horse, and that the right honourable gentleman's witticisms might not be fastened on him and his friends.

Mr. SHERIDAN said, he was of opinion that the petition ought to be received; but at the same time, as it seemed a little doubtful, and in order that the important business which was to come on, viz. the motion of his honourable friend (Mr. Grey) might not be delayed, he was induced to wish that the motion for bringing up the petition should be withdrawn, which was accordingly done.

After which a petition from certain inhabitants of the town of Warwick, and its neighbourhood, was presented by Mr. William Smith; one from about 1000 inhabitants of Huddersfield in Yorkshire, by Mr. Erskine; one from a number of inhabitants of the town and neighbourhood of Dundee, by Mr. Sheridan; one from a number of inhabitants of the town of Paisley, by Mr. Whitbread; one from certain inhabitants of the burgh of Montrose, by Mr. Curwen; one from certain inhabitants of the town of Kilmarnock, another from certain inhabitants of the burgh of Kilmarnock, and another from certain inhabitants of Newmills, in the parish of Loudoun and shire of Ayr, by Mr. Wharton; one from certain inhabitants of the county of Perth, by Mr. Lambton; one from a great number of inhabitants of the city of Edinburgh, of the whole length of the floor of the House, and praying for a thorough reform in the representation, by Colonel Macleod; one from certain inhabitants of the town of Dumbarton, by Mr. Whitbread; one from certain inhabitants of the burgh of Irvine,

another from certain inhabitants of the town of Strathaven, another from certain inhabitants of the burgh of the county of Roxburgh, another from certain inhabitants of the burgh of Linlithgow, and another from certain inhabitants of the town and neighbourhood of Anstruther, by Colonel Macleod ; and one from a number of inhabitants of the town of Nottingham, and neighbourhood thereof, by Mr. Grey.

Mr. GREY then presented a petition, bearing to be the petition of certain persons whose names were thereunto subscribed, which was brought up and read by the Clerk. The petition was of such length, that the reading of it took up nearly half an hour. It stated, with great propriety and distinctness, the defects which at present exist in the representation of the People in Parliament. It took notice of the division of the representation, or the proportions in which the different countries contribute to the total number of the representatives ; shewing, under that head, the absurd disproportion which takes place in a variety of instances, in so much, that the county of Cornwall alone sends more Members to Parliament than the counties of York, Rutland, and Middlesex, put together, &c. It proceeded to take notice of the distribution of the elective franchise, or the proportional number by which the different representatives are elected ; stating, under that head, that a majority of the whole House of Commons is elected by less than 15,000 persons, or, in other words, by the two-hundredth part of the People to be represented, supposing that they consist only of three millions of adults, &c. It went on to take notice of the right of voting, or the various restrictions and limitations under which the privilege of a vote for the choice of a representative is bestowed ; stating the great evils and inequalities that prevail in that respect. It afterwards took notice of the qualifications to be possessed by candidates and those elected ; and then considered the evils arising from the length of the duration of Parliaments. It went on then to detail the mode in which elections are conducted and decided ; and, under that head, shewing the evils arising from the length of time to which polls are protracted, from the influence of corporations, by the powers entrusted to returning officers, and from the appeal to the House of Commons under the operations of the acts 10th, 11th,

25th, and 28th of Geo. III., as far as the same relate to expence and delay. The petition proceeded to take notice of the mischief resulting from the defects and abuses which it had previously pointed out, particularly by the system of private patronage and the influence possessed by Peers and wealthy Commoners in the nomination of what are called the representatives of the People; shewing, under this head, that, by the patronage and influence of seventy-one Peers and ninety-one Commoners, the return of no fewer than three hundred and six Members of that House was procured, which considerably exceeded a majority of the House. The petition dwelt, at considerable length, upon all the points already mentioned, and detailed a variety of other abuses, all which the Petitioners offered to substantiate by proof; and it concluded by stating the great necessity there was for the application of an immediate remedy, and the high importance of such a measure; and prayed the House to take the matter into their serious consideration, and to apply such remedy and redress to the evils complained of as should appear proper.

After the petition had been read,

Mr. BURKE expressed his wish to know from whence the petition came which had just been read, as the place of residence of the Petitioners was not mentioned.

The names of the Petitioners was then read by the Clerk; after which,

Mr. GREY rose, and said, it was certainly not uncommon that petitions should be presented to that House from persons not describing their place of abode, or assuming any other description than that of the persons whose names were subscribed to the petition: if, however, it would afford any satisfaction to the right honourable gentleman (Mr. Burke), he had no objection whatever to state, that all the subscribers reside either in London, or near it, and that the petition had been drawn up and signed there. On the very important subject which it respected, he was very apt to believe, that, whatever opinions gentlemen might entertain, either with respect to a reform in the representation of the people, or as to the time which might be thought proper for bringing it about, it must be considered by all parties as a matter of much importance, to have laid before them such an accurate, full, and precise detail of all the

facts connected with the subject, by those who are ready and able to prove the facts which they have asserted in their petition; it would also have the effect to shorten very much what he would have to say, and to render it unnecessary for him to trouble the House at any great length. He was aware of the difficulties he had to encounter: in bringing forward this business, he was aware how ungracious it would be for that House to shew that they are not the real representatives of the people: he was aware that the question had been formerly agitated, on different occasions, by great and able characters, who have deserted the cause, from despair of success: and he was aware that he must necessarily go into what may perhaps be supposed trite and worn-out arguments. From recent circumstances which had occurred, since he last brought the subject before the House, he had an additional claim to candour, from the extent to which the prejudices against all reform and innovation had been thereby increased. It was by no means his intention to go into any of the transactions of the period when he made his original motion on this subject, or to carry any idea along with him of what might possibly lead to personal resentment. He came forward, on the present occasion, actuated solely by a sense of duty, to make a serious and important motion, which, he was ready fairly to admit, involved no less a consideration than a fundamental change of the Government. He felt, in the strongest manner, how very formidable an adversary he had to encounter in the right honourable gentleman opposite to him (Mr. Pitt); formidable from his talents—formidable from the influence of his situation—but still more formidable from having been once friendly to the cause of reform, and becoming its determined opponent, drawing off others from its standard. With that right honourable gentleman he never would condescend to bargain, nor should he endeavour to conciliate his favour by any mode of compliment: he had never disguised the objections he had to the way in which he had come into power, and to the whole system of his government since. In the course of the last discussion on the present subject, the right honourable gentleman seemed to hint something of general objections to reform; but he well knew that the chief difficulty to be encountered, would be the argument as to the danger of the times. This, indeed, is a never-failing ar-

gument, equally in times of prosperity and adversity, in times of war and of peace. If our situation happens to be prosperous, it is then asked, whether we can be more than happy, or more than free? In the season of adversity, on the other hand, all reform, or innovation, is deprecated from the pretended risk of increasing the evil and pressure of our situation. From all this it would appear, that the time for reform never yet had come, and never could come. By arguments such as these had reform been hitherto combated; and by the like he believed it ever would be attacked, until some dreadful convulsion should take place, which might threaten even the constitution itself with annihilation. Many had been the unsuccessful attempts to bring about a reform. At different times the great question of reform has been brought forward; but a proper time has never yet been found for it. In 1733, a motion was made in that House, by Mr. Bromley, for a repeal of the septennial act, and that motion was seconded in a very able speech by Sir William Wyndham. At that time the proposition was met, and successfully resisted, upon the pretence of danger arising from Papists and Jacobites plotting against the State and the Constitution. In 1745, another attempt was made; and that was the only occasion on which the pretence of danger was not made use of, although the country was then in a state of war and disturbance; but the success of the attempt was just the same as of the former one. Again, he said, the business came to be agitated in the year 1758; then also the motion was rejected. The right honourable gentleman (Mr. Pitt) had himself brought forward the subject three different times, in 1782, in 1783, and lastly in 1785, when he was Minister. The same objection with respect to the time was then made, and combated by the right honourable gentleman strongly and powerfully in argument, but without effect; and he had no doubt it would continue to be made successfully till the people resolve for themselves that there shall be a proper time. But while we are for ever met by this argument against any enlargement of popular rights, the encroachments of prerogative are overlooked, and no danger is apprehended from the passing an Alien bill, a Traitorous Correspondence bill, &c. It was, no doubt, true, that, in troublesome times, it might, perhaps, be necessary to delegate a larger portion of

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power to the executive Government: but why should innovations in favour of prerogative be watched with less jealousy, than innovations in favour of the popular part of the constitution? The business of reform appeared to have slept from 1785 to 1790, when it was again brought forward by Mr. Flood: at that time, the internal convulsion in France had but just begun; and it was then asked, whether we would think of repairing our house in the hurricane season. But he would, no doubt, be told that the danger is now greater than ever this country experienced, by many degrees; for the dangers talked of, at other times, are held to be all of no account, when compared with the danger of what are called French principles: if, however, there was ever any danger to this country from the propagation of French principles, or from the increased dominion of France, that danger unquestionably is completely at an end; for it was impossible that any set of men, who had not actually lost their senses, should ever propose the French revolution as a model for imitation; no argument, therefore, drawn from the situation of France could apply to the kind of reform which it was the wish of those with whom he acted to introduce.

It had been said last year by the right honourable gentleman, that this country had just recovered from the calamities of the American war, and that it would be imprudent to risk by innovation the growing prosperity of the country. Now the case was unhappily most woefully reversed; besides being involved in a most ruinous war, the whole commercial credit of the nation is shaken, and we have sunk from this zenith of our prosperity into the most necessitous and distressed situation; witness the bill with respect to commercial credit, which that House had just passed; witness the daily numerous bankruptcies. In this calamitous state with respect to credit at home and war abroad, nothing could tend so much in all probability to deliver the country from these dreadful evils, as to have a pure and uncorrupted House of Commons emanating freely and fairly from the people. Had a reform in the representation of the people taken place upon the end of the war and conclusion of the peace in 1763, this country had, in all likelihood, escaped the American war:—If it had taken place last year, it would probably have saved us from our present distresses.

He and his friends, he said, had published, last year, their opinions upon this subject, and credit would some time or other be done them for it. At that time, this country was at peace; Europe was distracted; had the House of Commons been a free and fair representation of the people, these advantages would, most probably, have been improved and secured. At present it is said that principles have been held supported, by arguments, equally dangerous to the Constitution and to order: but, how can these be so well met as by amending the errors of the Constitution? With these views he had given notice of the motion which he now brought forward. However unwilling he was to put this case upon the weight of authority; yet, at a time, when it has become customary to charge with bad views, all those who talk of any species of alteration, he thought it right to state it had the support of very great and high authorities. It had been supported by Mr. Locke; by Mr. Justice Blackstone; by the late Sir George Savile; by the Earl of Chatham, and by the present Master of the Rolls, the present Lord Chief Baron, and the present Lord Chief Justice of the King's Bench. It had been supported by the right honourable gentleman (Mr. Pitt) himself; and by the Duke of Richmond, and by an authority still greater than these, viz. by a speech of His Majesty from the throne. On looking into the journals of the 24th of May, 1784, he found a motion made, that the King's speech should be read, wherein His Majesty says, that he would be always desirous to concur with his Parliament, in supporting and maintaining, in their just balance, the rights of every branch of the Legislature.— If he did not think it requisite to follow the petition in the detail of facts, it was for no other cause than that they are there so fully stated; and can be distinctly proved. What could be more palpably absurd in point of inequality, for instance, than that the county of Cornwall should send to Parliament almost as many Members as the whole of Scotland? And that representatives should be sent from places where hardly a house remains? And, the fact being indisputable, he would now come to consider the effect: if, according to the present system, worthy, able and independent men were likely to be chosen as representatives of the people, he would not aim at a change; but if quite the reverse is the case, and if elections are in most



cases procured by corruption, then a speedy and effectual remedy would become essentially necessary; he wished the question to be decided on sound and fair argument. He mentioned this chiefly, because general representation is commonly supposed to be founded on natural right; but he rested his argument not on natural right, but upon what is in itself the best system of Government, and most conducive to the happiness of the subjects. When he spoke of the Constitution of this country, he did not speak of it as of a system which had been established at any one time. No—it had arisen out of various contingencies, and at different periods; and its goodness and excellence originated from the very cause on account of which some persons have pretended to deny that we have any Constitution at all. But if there was one principle more strongly inculcated than another at the time of the revolution, it was this, that the election of the House of Commons should be free.—One of the resolutions carried at that important æra was that King James had violated the freedom of election, whence it would follow that the Crown ought not in a degree to interfere in the election of those who were to represent the people; but that the latter should be left to send to Parliament the persons who were the objects of their free choice. Another principle asserted at the revolution was, that a man ought not to be governed by laws, in the framing of which he had not a voice, either in person or by his representative; and that he ought not to be made to pay any tax to which he should not have consented in the same way. Now, he asked, was it possible more completely to trample upon these two principles, than to make the House of Commons consist of persons not chosen by the people? At the revolution, also the necessity of short Parliaments was asserted; and every departure from these principles is, in some shape, a departure from the spirit and practice of the Constitution; yet when they are compared with the present state of the representation, how does the matter stand? Are the elections free? or are Parliaments free? With respect to shortening the duration of Parliament, it did not appear to him that it would be advantageous, without a total alteration of the present system. But if it be said that we are now in possession of that Constitution derived from our ancestors and settled at the revolution, he would ask, whether there have been

no alterations since the revolution? Has not the patronage of Peers increased? Is not the patronage of India now vested in the Crown? Are all these innovations to be made, in order to increase the influence of the Executive Power; and is nothing to be done in favour of the popular part of the Constitution, to act as a counterpoise? But has there been no alteration, since the revolution, even in the form and constitution of the House of Commons itself, which have gone to the increase of influence? The introduction of forty-five Members to represent in the British Parliament the people of Scotland, had also strengthened the hands of the Crown; an assertion which no one could dispute, who was at all acquainted with the manner in which the Scotch Members were elected. The abuse of burgage tenures, in defiance of an act of King William, gave the crown an influence in many boroughs in England. He read a passage from that act, in which it was declared that all splitting of tenure tenements, and messuages, and hereditaments, for the purpose of multiplying votes, should be deemed illegal and of no effect; and yet though this statute, by extending to all kind of towns, necessarily included burgage tenures, the latter had unaccountably been suffered to creep out of the statute, and were daily multiplied in defiance of it, for the purpose of multiplying votes and increasing influence at elections. On this subject he quoted an opinion given judicially by Lord Thurlow, when sitting as Chancellor in the House of Lords, in an appeal cause from Scotland, respecting the right of voting at elections in that part of the kingdom. That learned Lord, after having said that the right of election in Scotland had been debased, and put on the level of an English burgage tenure; the House of Commons, he said, had an unlimited jurisdiction in the trial of all questions respecting the election of its Members; but if the right of election could by law be decided in a Court of Law in England, as it was in Scotland, he was convinced an English Court of Law would not be satisfied with such a mode of election as this, that a nobleman's Steward should go down to a borough with ten or twelve pieces of parchment in his hand, containing each the qualification for a vote, and having assembled round a table as many of the tenants or servants of his Lord, should distribute among them the parchments,—then propose a candidate,—and afterwards,

collect these parchments, and declare his Lord's friend duly elected for the borough. And yet such was the mode of electing those who represented the boroughs where the right of election arose from burgage tenures. Such elections Lord Thurlow did not hesitate to call a mockery. Mr. Grey remarked that when Mr. Pitt moved for an addition of 100 Members to be added to the counties, he could not carry his motion; and yet he had contrived to procure the nomination of 40 Members by indirect means; for he had added to the House of Peers 30 Members, who either nominated directly or by irresistible influence, that number of Members of the House of Commons, as appeared from the petitions then on the table, and which the petitioners were ready to prove.

Mr. Grey then read the resolutions which are entered in the journals at the commencement of every session in the following words:

Resolved, "That no peer of this realm hath any right to give his vote in the election of any Member to serve in Parliament."

Resolved, "That it is a high infringement upon the liberties and privileges of the Commons of Great Britain, for any Lord of Parliament, or any Lord Lieutenant of any county, to concern themselves in the elections of Members to serve for the Commons in Parliament."

If the present system be right, these resolutions, and the principles upon which they are founded, must be wrong, and it would be better to expunge them from the journals, than to allow them to remain there while the practice is so totally inconsistent with them. It may perhaps be said, however, that although the Constitution may have been in some shape impaired since the revolution, it still remains so good as to make a change hazardous. In speaking on this subject, the influence appeared to him so excessive, and the occasion so important, that, if he should even go a little beyond the strict bounds of what it may be usual to advance in that House, he hoped it might be overlooked. Were the evils of the American war nothing? These were, in his mind, entirely owing to the unequal and corrupt representation in Parliament. It may be said, however, that the House of Commons are really a just representation of the people, because, on great emergencies

they never fail to speak the sense of the people, as was the case in the American war, and in the Russian armament: but had the House of Commons been a real representation of the people, they would have interfered sooner on these occasions without the necessity of being called upon to do so. He feared much that that House was not a real representation of the people; that it was too much influenced by passion, prejudice, or interest. This may, for a time, give to the executive Government apparent strength; but no Government can be either lasting or free which is not founded on virtue! and on that independence of mind and conduct among the people, which creates energy, and leads to every thing that is noble and generous, and that alone can conduce to the strength and safety of a state.

What constitutes a state?

Not high-raised battlement or laboured mound,

Thick wall or moated gate;

Not cities proud with spires and turrets crown'd;

Not bays and broad-armed ports,

Where, laughing at the storm, proud navies ride;

Not starr'd and spangled courts,

Where low-brow'd baseness waxes perfume to pride:

No; MEN, high-minded MEN,

With powers as far above dull brutes endued

In forest, brake, or den,

As beasts excel cold rocks and brambles rude;

MEN who their *duties* know,

But know their *rights*, and, knowing, dare maintain.—

If the present practice deviates from the principles of the Constitution, he had surely a good right to call upon the House to inquire into the subject: and to consider in what way it may be amended. Indeed it was evident, that many leading Members of that House considered a great part of it in a state of dependence; else what could mean the frequent appeals to those who were emphatically called the independent Members; an honourable gentleman (he meant Mr. Powys) had in 1784 assembled round him a little senate of his own, composed of those independent country gentlemen, from which he had excluded the borough Members, as probably not coming within the description of independent Members of Parliament. Surely this might be considered as a tacit avowal on the part of a great enemy to reform, of the absolute necessity of that very measure which he so strongly opposed.—

There were arguments for reform, which he need only to state, to produce conviction; the county of Rutland sent as many Members to Parliament as the freeholders of Yorkshire; and Cornwall as many as Rutland, Yorkshire and Middlesex together; and as many within one as the whole kingdom of Scotland. These were facts within the knowledge of the House; and surely afforded sufficient ground for a Parliamentary Reform. Here were other grounds arising from bribery, corruption, and expence at elections, which were known to every Member who had served on election Committees, though they were not known to the House as a body. Sometimes, indeed, reports from Committees stated acts of bribery and corruption, as in the cases of Cricklade and Shoreham, and Stockbridge, whose case was still depending. The most certain and effectual remedy in those cases was to establish a more popular election, which was the most likely method to secure the purity of election, and the independence of Members of that House.

Mr. Grey then said, that his intention was to make a motion for referring the petition to a Committee; but he had it not in contemplation to propose any particular plan, as there occurred to him many reasons against it. In the case which had just occurred with respect to commercial credit, the right honourable gentleman (Mr. Pitt) himself had proceeded in that precise way; he had stated the grievance or evil supposed to exist; the House, on his motion, had referred it to a Committee to investigate into the matter, and to report to the House; and, upon the report of that Committee, a bill had been brought in, and had now passed that House, which he wished sincerely might have the effect to remedy the evil. If, then, it should be said to him, why would you alarm and disturb the minds of the people, when you have no particular plan of redress to propose? he would oppose to such question, the right honourable gentleman's own mode of proceeding in the case he had mentioned; but he would say also, that it was indeed the proper and regular mode of proceeding. He did not approve of the Duke of Richmond's plan of reform, though he thought it better than the present system:—Any plan would be better which would secure such people in the House, as would vote independently, and uninfluenced by corruption:

he could certainly mention a plan which appeared to him much better; but he was not bound by the general mode of proceedings in that House, to move any specific plan, and he would therefore adopt that mode which had been usually followed, and which appeared to him the best, viz. after having stated the grievance, to move for a Committee to take it into consideration, and report to the House such mode of remedy as shall appear to them proper. He concluded with moving, that the petition should be referred to a Committee.

Mr. ERSKINE seconded the motion.

The honourable R. B. JENKINSON began with observing, that so various were the objections which occurred to him on the proposition of the honourable gentleman, that besides the difficulties which he always laboured under in addressing himself to that House, he felt the additional one of being obliged to select amongst the different arguments which offered themselves to his mind. The time, the mode, in which this question had been introduced, were highly objectionable. It had been introduced at a time when our constitution had been threatened from within, and when war had been declared against it from without: it had been introduced in a mode still more extraordinary. Without any complaint on the part of the people, a number of gentlemen associate themselves for the purpose of persuading them that they feel grievances, of which they appear not even to have dreamed. If they had succeeded in rousing the lion, could they have supposed they could have led it at their discretion? Could they have said to the people, "The constitution is defective; it must be reformed; it can be reformed only by your rising; but if you, agreeing with us in the evil, should differ with us in the remedy; if your ideas of reform should be more extensive than ours; if you should pass the line we have drawn for you, that moment you would be traitors and rebels, and we will be the first to inform against you." The example of a neighbouring country unfortunately proves that the people, once excited, can be appeased at the nod of no man, and that, under such circumstances, they would inevitably become instruments in the hands of those whose wickedness and extravagance will push them to the greatest extremities. But this was not all. This Association, after twelve months consideration, and, if we may judge from their

advertisements in the public papers, repeated and repeated meetings, bring forward to the consideration of this House the subject of parliamentary reform, without even venturing to produce a specific plan. He said, he had a right to infer from this, that some of the ablest men in this country, associated together for so considerable a space of time, had so little been able to ascertain the evil, that they had never discovered the remedy which ought to be applied to it; and that it might therefore have been expected, that instead of the proposition of the honourable gentleman, they should have heard a recantation of their principles on this subject, from an avowal of the fruitlessness of their research. But here he did not mean to rest the question; for ill chosen as had been the time, ill adapted to the circumstances of that time as had been the mode, his objections were principally to the *substance of the proposition*. He objected to it not only as productive of no good, but as productive of positive evil; not as nugatory, but in its consequences as fatal; so productive of evil, and so fatal, that he neither knew that time nor that mode which could have reconciled him to its adoption. He then remarked, that it was a subject well worthy of observation, to examine the effects of different Governments on different countries; but that it was still more curious to examine the effects of the same Government on different countries. Take, he said, absolute monarchy; it will be perceived, that in some of the countries of Europe, that Government produces all the horrors and evils of which any system can be capable; that in other countries it produces as much happiness to the people, as a system so defective as absolute monarchy must be can possibly produce. And yet no apparent reason frequently exists for this extraordinary difference. What inference did he draw from this? That the effects of Government on the people do not so much depend on general principles and general theories, as on little accidental circumstances which are frequently not even perceptible; and consequently, if plausible theories ought never to be an objection to reform, when practical grievances are felt, so defective theories ought not to be a ground for reform, when not only no practical grievance, but every practical advantage, is felt. From the honourable gentleman not having introduced a specific plan, he must of course feel some difficulty in arguing the

question. He rejoiced, however, at hearing him give up *the right of universal suffrage*. If all persons have not a natural right to vote for Members of Parliament, no particular class of persons can have that right; the line could never be drawn. The question then is placed upon its proper ground; it was a question of wisdom, a question of expediency, but not a question of right. Considering it then in this point of view, we ought to examine this question on the same principle on which all questions of the sort must be examined, viz. by inquiring what was the end that was to be produced? and then considering what were the means likely to produce that end. The end was, a House of Commons that was to produce certain effects. The means of obtaining that House of Commons, were the electors. We ought not then to begin first, by considering who ought to be the electors, and then who ought to be elected; but we ought to begin by considering who ought to be the elected, and then constitute such persons electors as would be likely to produce the best elected. Three questions, then, arise out of this principle:

1st, What is the House of Commons?

2d, How ought it to be composed to answer its object?

3d, What is the way of so composing it?

Supposing, then, that there can be no doubt on the first of these questions; that we must be all agreed that the House of Commons is meant to be a legislative body, representing all descriptions of men in this country. Without troubling the House any farther on that proposition, he would proceed to the second, and consider how it ought to be formed. In the first place, he supposed every person would agree, that the landed interest ought to have the preponderant weight. The landed interest was, in fact, the stamina of the country. In the second place, in a commercial country like this, the manufacturing and commercial interest ought to have a considerable weight, secondary to the landed interest, but secondary to the landed interest only. But was this all that was necessary?—There were other descriptions of people, which, to distinguish from those already mentioned, he should stile *professional people*, and whom he considered as absolutely necessary to the composition of a House of Commons. By professional people, he did not mean to use that expression in the narrow and con-  
nined



sense in which it was generally used ; he meant those Members of the House of Commons who wished to raise themselves to the great offices of the State : those that were in the army ; those that were in the navy ; those that were in the law : and he maintained, that these several descriptions of persons ought to be able to find some means of entering into that House. First, it is to be considered, that by the practice of the constitution, the Ministers of the Crown are, in part, chosen out of the House of Commons. The landed interest, or country gentlemen, are, generally speaking, not ambitious of exercising those functions ; and indeed it was not to be wondered that persons of considerable property and consequence in the country, should find themselves so much employed by the management of their property, by fulfilling the office of Magistrate in their different counties, and by attending their duty as Members of Parliament, as not to be, in general, desirous of becoming Members of the Administration of the country. Indeed, it may, perhaps, be more proper that such persons should be employed in watching over the conduct of those who exercise the functions of executive Government, than that they should be employed in exercising those functions themselves. This applied still stronger to those gentlemen in the commercial line. They did not, generally speaking, come into Parliament till they were rather at an advanced period of life, and they were then so occupied with their commercial concerns, that even if they had the disposition, they could not have the leisure, to become Members of the executive Government. Unless, then, the last description of persons whom he had mentioned ; unless professional men could find their way into that House, you would strike at the root of this principle. He said, that the principle itself was a very important one ; that it had been commonly observed, that whilst in other countries men could scarcely be found to discharge the offices of the State, in this country there were always more than were sufficient ; but if the professional men he had mentioned were prevented from becoming Members of Parliament, we should lose one of the most important advantages of our Constitution. There was another reason why these persons were absolutely necessary : we were constantly in the habit of discussing in that House all the important concerns of the State ; it was necessary, there-

fore, that there should be persons in the practice of debating such questions. It would plainly appear, from what has been already said, that the very same reason which would, generally speaking, prevent either gentlemen in the landed interest, or in the commercial interest, from accepting the offices of the State, would likewise prevent them from exercising, in a considerable degree, their talents in the practice of debating. If, therefore, he said, we were desirous that there should continue in that country a constant supply of men to form vigorous and effective administrations; if we were desirous that there should continue in that House a constant supply of men to form vigorous and effective oppositions, for the purpose of watching over the conduct of such Ministers, the descriptions of persons he had mentioned were absolutely necessary to the composition of it. There was another reason; being constantly in the habit of debating in Parliament on all the different affairs of State, on the naval, on the military affairs, on the state of the law of the country, it was proper, he said, that we should have within ourselves persons belonging to these different professions, to whom we might occasionally appeal on such subjects, and in whose opinion we might confide, if their character in their profession induced us so to do. There was a fourth reason, which was, to his mind, stronger than all the rest. The professional persons he had mentioned, in fact, made that House the representation of the people. Suppose, that in that House there were only country gentlemen; they would not then be the representatives of the nation, but the representatives of the landholders of the nation. Suppose there were in that House only commercial persons; they would not be the representatives of the nation; but the representatives of the commercial interest of the nation. See, he said, from an example what would be the consequence of this. There cannot be a more important subject of legislation than the corn laws. It would be agreed by every one, that Parliament should prevent corn from either becoming so dear as to distress the poor, or from its becoming so cheap as to affect agriculture. The landholders of the country have an interest that corn should be as dear as possible; persons in the commercial and manufacturing line have an interest that corn should be as cheap as possible: it must then inevitably follow, that if one of these descriptions of

persons only found their way into the House, the interest of that description of persons would be principally considered, and however respectable those persons might be, an *esprit de corps* would naturally be found in all their proceedings. Suppose the landed and commercial interests could both find their way into this House, the landed interest, it has been proved, ought to have the preponderant weight; it would consequently be able, if it had nothing but the commercial interest to combat with, to prevent that interest from having the weight in the Constitution which it ought to have; and all descriptions of persons in the country would, in fact, be at the mercy of the landholders of it. The professional persons, then, that he had mentioned, are what make this House the representatives of the people. They have collectively no *esprit de corps*, because they are composed of persons in very different professions. They mix themselves with the landed and commercial interest, and prevent any *esprit de corps*, by this means, from affecting our proceedings. Thus, whilst the landed interest has of any one description of persons the principal weight in this House, as it ought to have; whilst the commercial interest has of any one description of persons the secondary weight in this House, as it ought to have, neither the landed nor commercial interest can materially affect each other. The interests of the different professions of the country are fairly considered, and the House, by this means, become what it could not become by any other means, the representatives of the people at large.

What then, he asked, were the means of obtaining such a House of Commons? The counties, and many of the populous boroughs, secured the election of country gentlemen; the commercial towns secured the election of certain persons in that line: but how were the last description of persons, the professional men, to find their way into that House? In the counties, local connection would, in a great measure, decide the election. However great his property, or the property of any other gentleman, might be in a county, it would go a great way to decide between A and B, two considerable persons in that county; but it could never be made use of with effect for the purpose of bringing in a person who had no landed property in that county, and who could have no connection consequently with the various interests in it. In the populous boroughs, the

same principle will in a great measure avail ; and persons who, for the first time at least, are chosen for them, are generally chosen either on account of some local connection, or by means of the exertions which a very considerable property may enable them to make. Many gentlemen, after they have come into that House by other means, by the reputation they acquire from their exertions in it, are, at a subsequent period, frequently returned by the most populous places in the country ; but if the names of the professional persons, who had come into that House for a considerable number of years, were examined, it would be found that far the greater part of them have come in, for the first time, by means of those boroughs which are called rotten-boroughs ; that having in general no strong local connection, and, comparatively speaking, no very considerable property, it is scarcely possible that they should come in by any other means ; and if it was the object of the honourable gentleman, as it appeared to be, if it was the object of the petitioners whose petition they had heard read that day, as it appeared likewise to be, to abolish those close boroughs, persons of the description he had mentioned would scarcely ever find means of obtaining a seat in that House ; and those Members whom he considered himself to have proved absolutely necessary for creating that House the Representatives of the People, would be entirely excluded.

He then considered himself to have shewn that the close boroughs, as being the means of introducing professional persons to that House, were absolutely necessary to its Constitution. Did any evil arise from them ? It might be feared, that their influence collectively might be so great, as to prevent the landed and commercial interest from having that weight in the House which they certainly were entitled to. This objection had been answered before ; for this description of individuals not being composed of any one sort of persons, but of persons of a variety of professions, not being returned by persons in one interest, but by persons in very different interests, possessed collectively no *esprit de corps*, and could consequently not affect the weight of either the landed or monied interest in that House. But it might be said, to a certain degree these persons may be necessary ; but are not their numbers increasing ? The reverse he asserted was the fact. Let any gentleman look

at the various decisions on controverted elections since the passing of Mr. Grenville's act, and he will find, that in almost every case, the decision has been in favour of the more open right of election; and that it is astonishing how many boroughs there are, which were believed to be close boroughs a very few years ago, and which have since been made as open as any boroughs in the country. It has frequently been said, "If you had a House of Commons to make for the first time, would you constitute it as the British House of Commons is constituted?" This is, generally speaking, not a fair question; but he found no difficulty in answering it on the present occasion. He did not mean to say, that if he had a House of Commons to constitute in a country similar to Great Britain, he should constitute it in every little circumstance similar to the present. He did not mean to say, that it would occur to him to give Members to Liverpool and Bristol, and not give them to Manchester and Birmingham. But this he would say, that he should constitute it precisely on the same *principle*.—That by means of counties and considerable boroughs, he would endeavour to secure the election of the landed interest. That by means of the commercial towns, he would endeavour to secure the election of the commercial interest, and that he would certainly constitute a number of close boroughs, where there were not more than fifteen or twenty electors. Why? The honourable gentleman who had made the proposition of Parliamentary Reform, and the petition on their table, rather proposed uniformity of election. His ideas were the reverse. That the modes of election ought to be as varied as possible, because, if there was but one mode of election, there would, generally speaking, be but one description of persons in that House. His opinion was, that there ought to be a variety of descriptions of persons in that House; and by a very varied mode of election only could that variety of persons be secured.

We came, however, to this important question at last.—Has the House of Commons, so constituted in practice, answered the end for which it was designed? The House of Commons, as the democratic part of the Constitution, as the virtual representatives of the people, certainly, to a degree, ought to be affected by public opinions in their operations. It must,

however, never be forgot, that the first quality of the House of Commons is that of being a deliberative assembly. If public opinion is necessarily to affect their decisions on every occasion, it will cease to be that deliberative assembly, and the Members of it would have nothing to do but to go to their constituents, and desire to be directed by them in the votes they are to give on every important subject. Public opinion, then, ought to have a certain weight in the conduct of that House; but public opinion ought never to have so great a weight, as to prevent their exercising their deliberative functions. The petition on the table, and the honourable gentleman who had made the motion, have asserted, that the national debt which this country labours under, has originated from the corruption of that House. A more extraordinary assertion never has been made. The national debt has arisen from the wars in which this country has been involved. Did gentlemen mean to assert, that those wars were not agreeable to the public opinion?—Consider the history of the wars since the House of Hanover has been on the throne. The Spanish war; was that unpopular? It was entered upon on the express requisition of the people, and contrary to the known opinion of the Government. The war of 1756; was that unpopular? Never was any country engaged, he believed he might say, in a more popular war. The American war; was that unpopular? He had heard it asserted by an honourable gentleman opposite to him, that that was the war of the people. Until within a year and a half of its conclusion, nothing could be more marked than the approbation which the Public gave of that measure. It grew unpopular towards the end, as under similar circumstances every war will grow unpopular, because it was unsuccessful; and what was the consequence of this war becoming unpopular? That the Minister, who had the complete confidence of a Parliament chosen in the year 1780, was forced by that Parliament to quit his situation in less than eighteen months afterwards, in consequence of the ill success of the war! Take, he said, the administration of his right honourable friend. Would any body say, that that administration, which had had the confidence of the House of Commons, had not likewise the confidence of the Public? He would admit that that was no proof alone of the administration's

being good; but that was not the question. The point that they were to decide was, had public opinion its full weight in the deliberation of Parliament? by the confidence which Parliament had placed in his right honourable friend, the public opinion had proved to be in unison with the opinion of that House; but it was said, that there were some measures of the present administration approved of by that House, and which the Public were averse from. Very possibly. The difference of that House from the Public, on any particular measure, could be no objection; for if that House had not the power of differing from the Public, nay, if it did not sometimes differ from them, it would cease to be a deliberative assembly. But the Russian war had been stated, and much had been dwelt on this. The House were well acquainted with his opinion on that subject. He would suppose, however, for argument's sake, that his opinion was completely wrong; that Ministers were wrong in arming for the purpose of obtaining Oczakow, and were wrong, having so armed, in disarming without obtaining it. What does that prove with respect to the decisions of that House? Nothing, unless it could be shewn that that which was said to be the defect in our representation, was the cause of those decisions. If it could be shewn, for instance, that the Members for the close boroughs had in fact occasioned those decisions, contrary to the opinions of the landed and commercial interests in that House, the objection, as far as respects that particular case, may avail. But the reverse was the fact. A much greater number of Members for counties and populous places voted with Administration than voted against them; and as many Members for close boroughs, in proportion, voted in the minority as in the majority of that House. The objection then proved nothing. Form a House of Commons as you please, assemble the people in Salisbury Plain; you cannot prevent their having improper attachments and improper aversions. You cannot prevent their placing too much confidence in one Minister, because they approve of him, and too little in another, because they disapprove of him. The defect is not in the representation; it is in human nature, and our eyes had better be turned to an improvement of that. He then said, that though public opinion he had always thought should have

a certain weight in the Constitution, he was fearful lest our Government should become too democratic. Every man who pushed the democratic principles of the Constitution too far, was, in fact, an enemy to it. He was of the same opinion with respect to those who pushed the monarchical or aristocratical principles of it beyond their proper limits. It was certainly the principle of the British Constitution, that monarchy, aristocracy, and democracy should serve as a control on each other; but it was likewise a principle, that on ordinary occasions they should and must co-operate. If the monarchy, the aristocracy, and the democracy are too much unconnected, the purpose of control may be answered, but the purpose of co-operation will be defeated. No one of the principles, therefore, ought to be forced beyond a certain extent. If any person was to be forced to live under a simple monarchy, he would choose a moderate monarchy. If any person was forced to live under a simple aristocracy, he would choose a moderate aristocracy. If any person was forced to live under a simple democracy, he would, of course, choose a moderate democracy. If then you are to live under the three united, it becomes still more necessary that each should be moderate in itself; because without that, co-operation, which is absolutely necessary, could not subsist between them. He declared, that no person had more extensive ideas of liberty than he had; but it was not by any exclusive attachment to the democratic part of our Constitution, that that love of liberty was to be manifested; democratic tyranny was at least as bad as either monarchical or aristocratical tyranny. The liberty we had the blessing to enjoy, did not arise from any part of the constitution, but from the operation of the different parts of it on each other. In the true sense of liberty, it was the end of all Government, men fled from a state of nature to a state of society; because, in the former, the first blessing of liberty, security, could not be obtained. But when he talked of liberty, he meant not any abstract ideas of the rights of man; he meant practical liberty. Of this he might say, that was the best Government which had the most of it; or, in other words, that was the best Government where there was the greatest security, and the least restraint. He was not so ignorant, however, of human nature, as to suppose that every country could enjoy an equal



share of it. The liberty of a country must depend on its Government; and very little experience, indeed, would teach us, that different Countries require very different Governments; that in considering what Government would suit a country, the extent of it, the population of it, nay, the climate, must in some degree be attended to. How, then, were we to judge whether the Government was well adapted to the country?—By the effects it produced. Is property secure? Is the administration of justice correct? Are the laws mild? Do the lower orders of the community appear contented? Wherever these blessings exist, the Government from which they originate must necessarily be good. Let us judge, he said, of the British constitution on this principle. Is not property secured? Is not the administration of justice pure and correct? Have we not, in short, arrived at a pitch of prosperity unparalleled in either ancient or modern history? What, then, must be that tree which could produce such fruit! But it was not on the effects of our system only that it was necessary to rest; those who had passed their lives in the studies of speculative retirement, and who had become acquainted with human nature but from books, have beheld with regret the capricious tyrannies of absolute monarchy, the systematic oppression of aristocracy, the turbulent, factious, and unsettled disposition of democracy. They considered that a system might be founded out of the three, where the faults of each might correct the faults of the other, and where the virtues of each might prove an aid to the virtues of the other. Should we, then, who enjoy such blessings from such a system, on the pretence of some trifling defects in the theory, be disposed to hazard its existence? Should we contemplate the spots of the sun, regardless of its splendor? Should we seek glasses to magnify those spots which, to common eyes, are not even visible, and when the lustre of the celestial body is so great, that no part of nature can complain of a defect of its rays? But the spots of the sun do in some degree diminish its splendor. In works of art, it frequently happens that those which appear defective, are in fact the reverse; speculative theories are generally founded on ideas of perfection which do not exist: human institutions must be adapted not only to the virtues, but to the weakness and passions of mankind. Thus is it frequently necessary to follow that by

indirect ways, which by the straight road we never could hope to arrive at. That there were theoretic defects in the composition of the House of Commons, was not what he pretended to deny; it was incumbent, however, on those who proposed a reform, to prove that those defects affected the practice of the constitution. He contended that he had proved the reverse; that they were necessary to the constitution; and that any attempt to reform them might prove dangerous to its very existence.

Mr. POWYS could not content himself with giving a silent vote upon so momentous an occasion—and first, before he proceeded to discuss the question before the House, he wished to answer a charge adduced against him of his having made a distinction between the Members who composed the House, by attaching to a part the appellation of independent. By this epithet he certainly did not mean the landed interest alone—he meant persons neither holding nor expecting any offices. It was not, he said, his intention to go over those general grounds which had been so often debated, and on which the opinion of the House had been always the same. On the present day, Mr. Grey had come forward as the organ and delegate of a society, constituted for the purpose of checking the progress of disaffection and discontent—or waiting for the operation of the public mind, and of holding no communication with visionary speculators. In process of time, however, these friends of the people joined with the performers from another theatre, and they acted together, at the Crown and Anchor Tavern more than once. If, however, at their meetings inflammatory language were held—if there were any who talked of embodying all the proud flesh and blood of the country, he was convinced that such speeches proceeded not from the crowds of the people, and was totally disowned by them. Mr. Grey had said that the example of France ought not to deter the House from adopting a reform. To this argument he did not feel disposed to accede, after the sentiments disclosed by M. Condorcet, which sentiments he begged leave to read—(They related to the formation of the Society of the Friends of the People, which would probably produce the same symptoms in England as had preceded the convocation of the States General of France in 1788.) Our Constitution, the wonder of the world, had, in

former ages, been the delight and envy of mankind, when all other nations lay groaning under despotism, or, what was worse, under anarchy; and he trusted it would ever be found a happy exception from the confusion into which other countries were hurried by their efforts to escape from tyranny. The happy frame of our Government freed us from the two extremes.—When the representative part of the Legislature had an identity of interest, and a conformity of sentiments with its constituents, it inevitably followed, that the people were well governed and happy. That this was the case at the present moment with us, appeared so manifest, that it would be time thrown away to prove it. When gentlemen talked of restoring the people to equal representation, he desired to know, to what criterion that equality could be referred? He desired to hear, what that period was where the representor and represented met constitutionally, and where the standard of constitutional perfection stood? The House of Commons was an organ, not merely to speak the public voice, or register the public opinions, but possessing judgement to deliberate, and power to execute the result of that deliberation. As such, it could listen to no such measures as were now dictated; and the motion should therefore have his dissent.

Mr. WINDHAM, after stating his anxiety to deliver his sentiments, confessed that he felt infinite difficulty in connecting, combining, and comparing all the reasons and arguments offered by the honourable gentleman from whom the motion had proceeded. Never had there been a question offered to the House so repugnant to reason, and so adverse to every principle of common sense. It was a question, in the discussion of which objections of the most opposite nature arose every moment, and when one had been answered, others immediately started up, like Bayes's troops, as if nothing had happened. Much attention as he had paid to the speech of his honourable friend, he had not been able to discover whether the question was a question of expediency or of right. Indeed Mr. Grey must excuse him, if he considered him only as a speck or spot (luminous perhaps) when compared with the vast importance of the subject.

*Pars minima est ipsa puella sui.*

He put him out of his consideration, and weighed him in his

scale only as an atom. His honourable friend proceeded very properly on the ground of expediency ; others on the ground of right. The last were certainly the most numerous and the most powerful. All the petitions that had been presented stated the right, and indeed his honourable friend could not correct the contagion. Those persons who supported the doctrine of right, supported it on the supposed natural equality of men, and on this position, that the will of the majority ought to be obligatory on the minority. A discussion of these two principles was better adapted to a society of learned men than to a large deliberative assembly ; and he could not but lament that they had ever been supposed to attach to the business of common life. To apply these metaphysical arguments as rules of conduct would, in his own opinion, be like turning a mill by the power of music, or raising a wall, like another Amphion, by a tune. On each, however, of these principles of equality, and the paramount nature of the majority of wills, he wished to say a few words. With regard to the first, that run so trippingly from the tongue, he should be glad to hear a definition of it ; but no—those who were so fond of it never would vouchsafe to give one ; or, if they did, it was in the nature of answering *idem per idem*, or *ignotum per ignotius*. The definition he had formed in his own mind was this—that as the end of all government was to produce the greatest possible sum of all human happiness, so, in producing it, Government was not to look for its residence in any particular formed part. No ravages were to be made on the happiness of the greater part for the purpose of conferring that happiness on the smaller. Whether this definition would be received by such persons as supported the doctrine of right, he could not tell. He believed, however, that it would not ; for from it resulted all possible inequality, particularly with respect to property. They seemed to say, that as long as persons continued to talk abstractedly of mankind, they must consider them as equal. He came next to the second of these pernicious principles, viz. that in all societies and states the will of the majority ought to govern. In opposition to this he felt no difficulty in affirming, that it was not a general principle of government, nor consonant to the spirit and the practice of ours in particular, that the numerical majority should decide for the

whole. An ingenious author, whom he admired more as a philologist than a politician (Mr. Horne Tooke), had said, with some pleasantry, that many of the evils of life arose for want of a right understanding of particles. — Just so, he imagined, many of the errors of these new political philosophers originated in a misunderstanding of particles. They said, for instance, that all government proceeded *from* the people: now if, instead of the particle *from*, they would insert the particle *for*, their proposition would be not only intelligible, but true; and yet on the stupid confounding of these two, not indeed by stupid, but very ingenious, men, did they rest their wild and injurious speculations. When he denied the right of the majority to govern the whole, and decide in all cases, he might be asked what he would substitute for it — if he would take the minority? He would not say so, though even that proposition would not be more absurd than the other, in the manner they argued upon it. He would rest the decision on the merits and the justice of the point to be decided; and as men would see those more or less clearly in proportion to their greater or less degrees of information, it followed that the majority was not the most likely to be in the right. If twenty persons of ordinary capacity were to decide on a question by a mere majority, was it a certain rule that the majority would be right? By no means. If to these twenty as many more are added, would the certainty be greater? It would be less; for as the number was augmented, the deficiency of deliberative judgement, the most essential quality, would be greater. If, therefore, the plan of these reformers, who said that nothing but a mere majority ought to govern, were to be carried, the nation must be undone. Applying this argument to the case of the Revolution; was it not notorious that the Revolution was produced by the minority, and yet that event had received universal applause. Of majorities there were three kinds: the first was the majority of reason; the second of numbers; the third of force. A good man would make use of the first and third; a bad man would adopt the third alone: but neither the bad man nor the good would make use of the second majority. To strip this question — if two men, meeting one man in a wood, were to contend that they had a right to murder him, it did not matter whether the numbers were

two millions and one million, though it might be better, for the sake of argument, to take the first mode of stating it. Supposing, then, that two men were to meet one man, it would be of no avail for the one man to say that he was not in society, the majority would immediately vote that he was. Much had been said of the theory of the Constitution—the expression imported much: it was something that might easily be mistaken; it was an Etrurian vase, which, if some were to think made for the purpose of containing oil, and others for the purpose of holding water, both might be led into a ludicrous mistake. Besides, this idea of restoring the Constitution to its ancient theory, opened a door for the wildest schemes of the wildest reformers. The Petitioners had demanded that the House should represent the whole nation. If it were to represent the whole nation, where was the necessity of King and Lords? and this these Petitioners knew, for they were excellent engineers. They knew that there was a gentle ascent terminated by a rock, on which was placed a fortification. They would not attack the heights of monarchy first, with all its thunder of privileges: they would make their advances regularly, and take ground on the side of representation; when they had made good their station there, they knew that success must attend their endeavours. It had been said that the people had a right to demand; that the extension of the duration of Parliament from three years to seven was an invasion of their rights. For his own part, he did not know whether it would not be an invasion of their rights to make the duration of Parliaments again triennial; for, upon this mode of reasoning, every thing but pure democracy was an invasion of their rights. Few grievances had been complained of by Mr. Grey, and those few operated against him. In the case of 1784 he differed in opinion with him. It had been a complaint against all former Parliaments, that they had been too much addicted to the Minister of the day. As soon, however, as they went against him, they were thrown to the people, and devoured by them with all the savage ferocity of hounds. At the present period, the effect of legitimate assemblies, emanating from the people, had been seen in France. The present National Convention, though the legitimate representatives of the people, were overawed by two other bodies of men.

I think there be six Richmonds in the field. They were kept by those societies in the most strict submission. You shall be King, and I will be Viceroy over you.

With respect to a perfect coincidence in opinion with the people, he contended that all good proceeded on a difference in opinion with the people; and that nothing could be so calamitous to the House as to become the agents of the people. For his own part, he thought that a case of a different sort ought to have been made out. The probable loss ought to be opposed to the probable gain. It ought to be recollected that the motions of the heavenly bodies could be known to the end of centuries; but the impulses of the heart could not be known from one day to another. The grievances then ought first to be felt before a remedy ought to be applied; for should the people think such a reform as the present ineffectual, they would not stop. To give them any thing short of the entire completion of their wishes would be like throwing crumbs to hungry men, who have stomachs for greater things. Mr. Grey, therefore, might open the door, but would he be able to shut it? No.—Did he not know that some things will take fire as well by cold as by hot water? Did he imagine that throwing cold water on lime would put it out? No.—But even were he, for his own part, to be sure that the people would stop at a particular spot, still he would not agree to it. If there was even no mischievous consequences couched in the measure, he would object to it, as producing no good. Besides, he denied the extent of the grievance complained of:

“ All is not offence that indiscretion

“ Finds, or rashness deems so.”

But those offences were, he said, so mixed and interwoven with perfections, that the one could not be removed without destroying the other. The House could not pretend to correct blemishes in the Constitution. It was like the style of ancient authors, of which the critics said, *Qui corrigit delet tam vitia virtutibus mixta*. What some people called its faults could not be corrected without destroying all its valuable parts. Many things, he was aware, might have escaped him. Some circumstances more might transpire. If a discussion must take place on such subjects, he would advise the House to drink

deep or taste not. If the principles were to be examined, the fallacy of them would soon be detected; and if any dared to inhibit, he would promise them that they would be reduced to the condition of being the babies of a girl. He disliked this mixture of politics and metaphysics.—[A loud laugh.]—With much warmth the right honourable gentleman desired those who disliked his metaphysics to answer them. This species of argument had commenced with the American war, and had been carried down to the present period. It was a contemptible chegoe, which, if suffered to penetrate the skin, would bury itself in the inflammation which it had excited, and eat to the bone, defying the power of art to remove it, although in the first instance an old woman might pick it out with a needle.

The Honourable THOMAS ERSKINE said, that had he been absent at the opening of the debate, and unacquainted with the motion before the House, he should have thought, from the manner and argument of the honourable gentleman who had just sat down, that some proposition had been brought forward not only big with ruin to the interests of this country, but such a one as had never before entered into the mind of any man to project. At all events, he certainly never could have collected from the smile of approbation which covered the features of the right honourable gentleman opposite to him (Mr. Pitt), that the motion which, to his perfect satisfaction, was reprobated and ridiculed, was no other than the very motion which *he himself* first formally introduced, and made it the first characteristic of his public life to originate and support. He must also bring it to the same right honourable gentleman's recollection, that the disturbances and revolutions of the world, and the progress of principles dangerous to monarchy which were now set up as reasons against all reformation, were by himself made the very basis of his own similar application to the House at the close of the American war. At that time a mighty Republic had just formed itself on the other side of the Atlantic; but having been forced into that form by the corruptions which he sought to destroy, (a principle equally applicable at this moment as then) that mighty revolution, and the agitations which accompanied it, instead of



forming an objection, was made the very argument to support the necessity of regenerating our own Constitution.

He said he should not attempt to imitate the honourable gentleman who spoke last in the subtlety of logical argument, or in the eloquence of declamation, but must remark, that it would have been more worthy of his talents to have fairly stated his honourable friend's propositions and arguments, and then to have refuted them, than to assume those which never were maintained. Did his honourable friend, for instance, insist upon universal representation as an original and indispensable principle of this or any other Government? or did the petition which he presented assert that principle, or pray for its adoption? His honourable friend put the rights of mankind in general, and of the people of England in particular, upon truer and higher grounds: he maintained that liberty, property, and security from all oppression, were the unalienable rights of mankind; that all government existed for their benefit; and that whatever representation, general or particular, conduced the most to secure them, they had a right to institute for their protection. But as they were not assembled to form a government, but to support one already established, he disclaimed all resort to theory, and maintained his proposition as justified by practical necessity. He would, therefore, recall the attention of the House to the motion before it. What was it? It was simply that they should take into their consideration the petition which Mr. Grey presented, and which, upon being read, the House had received; and the single question was, whether the petition contained sufficient matter, if taken to be true, to render it their duty, either in justice or in wise policy, to endeavour to remove what it complained of? He said, if taken to be true, because as the Petitioners offered to verify it clause by clause, the House could not, without inquiry, or rather in the teeth of their own certain knowledge, vote it to be false. What then did the petition assert? It asserted that this House, which is invested with the mighty authority of the representatives of the whole People of Great Britain, were chosen by a number smaller than the subscribers to some of the petitions, which to-day had been treated with neglect: it stated that this gross inequality was rendered more unequal by the disproportion of the bodies who elected: it as-

serted that elections were, and must, in spite of all laws, continue to be procured by notorious corruption ; that Peers of Parliament, sent up to the other House from their influence in this, sent by their mandates others to represent them ; and that small as the numbers were, compared with the whole people who elected the majority of the House of Commons, they themselves were but nominal electors, the majority of those who sat there being elected by the patronage of the Crown and a few great men of the realm, by means of which the people had lost all share in our balanced Constitution. Those were the facts they stated, and the simple question was, whether the House was prepared to say, in the face of the public, and to the people they represented, What of all this ? Be it so ; let these things continue : for that would be their language if they negatived the motion. To that it had been answered, that those theoretical defects, which the language of discontent had worked up into a libel upon the present Government, belonged to its original Constitution ; that under it the country had improved from age to age, and arrived at its present prosperity and glory. He denied it. He said that there was not in practice, which both sides had agreed to resort to, the smallest analogy between the ancient and modern House of Commons. He said that before the Revolution, when the executive power of the country was in all its ancient vigour, ruling by terror and the instruments of authority, and whilst by the free spirit of the English people the Commons were only growing up in strength, and, by advancing upon the other branches of the Government, were gradually bringing the Constitution to what it now was, the defective representation of the people was a mere defect in theory, but of small account in practice : it was then of such immense importance to the people to struggle against the prerogative, that it was of little consequence who were the electors, if the people were but possessed of an organ where their authority could be deposited and act with force ; the Crown had not then the means of influence and corruption either amongst the electors or the elected, and particular districts of the nation were not then bought, in order to sell again at discretion, not merely those who had been bought, but the rest of the nation, whose interests were left in the hands of the small number which constituted the

elective body. Whoever looked at the English history would perceive, that in the infancy of that House, and before the confirmation of its high privileges, the Commons were uniformly bent on maintaining popular privileges, and formed a *real* and *practical* balance against the Crown. There was no danger in those days that the representatives of the few would betray the interests of the many. The Crown and the Commons were separated by fear and jealousy, and when the Commons got together, no matter how elected, they acted on that principle. This was so true, that even Charles and James, when the Commons were risen, were driven to the garbling of corporations: but that since the Revolution, and particularly since the creation of the immense revenues which had grown up since that time, a new order of things had arisen, and, as all government stood in practice and not in theory, the English Government might be said to be completely changed; corruption had taken the place of power, and therefore, although a House of Common, elected *in any way*, having the people's authority, was sufficiently constituted to struggle against power, and although the defective state of the representation had, in that case, no operation, yet, when influence and corruption superseded authority, the popular branch of the Constitution might be strictly said to be dissolved. A small part of the nation was now in the habitual course of either selling the interests of the whole, or else their elective franchise was the absolute property of some individual; frequently the Crown, who sold it for them, and the persons elected devoted themselves implicitly to the Crown for the emoluments which were carved out of the people's substance to feed them, by which that House had become a Council of the Crown, and not an active balance against its power.

He said those were no imaginations of his; they stood not only upon all history, but upon a modern authority which would be respected by the House, and, he knew, would be particularly bowed to by the honourable gentleman who had spoke last.

A modern author of great eloquence, said Mr. Erskine, speaking of those changes in the English Government, truly said,

“The virtue, spirit, and essence of a House of Commons consists in its being the express image of the feelings of the nation. It was not instituted to be a control *upon* the people, as of late it has been taught by a doctrine of the most pernicious tendency, but as a control *for* the people.”

And he therefore thus indignantly deplored its lapse from that character :

“The distempers of monarchy were the great subjects of apprehension and redress in the last century ; in this, the distempers of Parliament. The power of the Crown, almost dead and rotten as prerogative, has grown up anew, with much more strength and far less odium, under the name of influence—an influence which operated without noise and violence ; which converted the very antagonist into the instrument of power ; which contained in itself a perpetual principle of growth and renovation ; and which the distresses and the prosperity of the country equally tended to augment, was an admirable substitute for a prerogative that, being only the offspring of antiquated prejudices, had moulded in its original stamina irresistible principles of decay and dissolution. The ignorance of the people is a bottom but for a temporary system ; but the interest of active men in the state is a foundation perpetual and infallible.

“When the House of Commons was thus made to consider itself as the master of its constituents, there wanted but one thing to secure it against all possible future deviation towards popularity—an *unlimited* fund of money to be laid out according to the pleasure of the Court.”—That fund they all knew existed, augmenting itself alike by the distresses as by the prosperity of the country. But it might be said, had not the nation been equally prosperous under this new system of practice ? He answered No. He maintained that the mighty agitations which now convulsed and desolated Europe, that the disastrous events of the moment which were opposed to the motion before the House, owed their very existence to the corruptions of the English Government, which they sought to do away.—[Here a laugh from the other side of the House.]

Mr. Erskine said, there was nothing so easy as that sort of answer. It would be, however, more decent and parliamen-

tary to expose his mistakes by reasonings. He should listen to them with candour, and follow them, if he was convinced; but till then he would continue to assert, that all the calamities which they deplored at that moment had no other origin than the corruption of the House of Commons: and for the first part of the historical deduction he had authorities, some of which the right honourable gentleman would not be disposed to dispute.

His illustrious father (the Earl of Chatham) maintained that a taxation for revenue in America, the fatal cause of the American quarrel and separation, was devised to supply the fountain of corruption in that House; Sir George Saville insisted upon it with indignation in his celebrated letter to his constituents; and the celebrated author whose work he had already cited detailed all the melancholy history in that too-prophetic speech which he delivered in the beginning of that war. He knew the war was for a long time popular in the country, because it was their war, and the people unfortunately connected that House with themselves, though there was no substantial connection. Had that House been in theory what it was in practice, the Executive Government merely, without an imaginary connection with the people, how different would have been the event—jealousy would have prevented what confidence produced. It must be remembered, too, that since revenue was to be raised, which either England or America was by their authority to provide, they artfully created a powerful interest in the quarrel by American taxation: but, with all those advantages, the people saw the approaching calamity, and petitioned to avert it long long before it was too late to have saved America to this country.

He said, therefore, that if this House had then in substance represented the people, America at that moment would still have been an affectionate colony, or, if emancipated by the natural progressions of the world, she would now be spreading the roots of monarchy round and round the globe. They planted her in their better days, and gave her the image of their own constitution. Her governors were Kings, her councils the Aristocracy, and her assemblies the Commons; and she felt both pride and prosperity in the re-

flected greatness of this country. But all that mighty fabric their corruptions undermined and destroyed, and the reign of republicanism began from the abuse of monarchical establishment. This was the first stage of the proof, and the rest too palpably followed it.

The effects of so distant a revolution, brought on by the corruption of our European Government, could not have communicated itself so suddenly to Europe, if other governments had not been equally corrupt. It certainly was not affection for freedom, but to distress England, that embarked France in the American cause; but as that detestable principle could not be openly avowed, her press became free in arguing the justice of the quarrel, and she sent the prime of her army to support it in the field. The consequences every body had seen. Her armies, after shedding their blood in the resistance of monarchical despotism and corruption, and enjoying the triumph of republican resistance, returned home to France to see monarchy in a still more odious and disgraceful form: they soon applied the principles their Government had taught them to the Government itself, and monarchy in France passed away like an enchantment. Such was the power of opinion. He maintained, therefore, that no fact in history or politics from the beginning of the world was more firmly supported; that the proposition (which some had affected to laugh at) was strictly true; and that the corruptions of the English House of Commons, by resorting to taxation in America for the means of corruption, and carrying on the war to the final separation, had wholly and certainly produced all the changes which agitated the world at that moment.

Mr. Erskine said, if the separation of America, and the consequent revolutions of Europe, might thus be traced to the causes he had assigned, and that they arose from no other, every man's conscience told him to be true, how could it possibly be denied that the present system of English Government had been practically mischievous, when but for those bitter fruits of their corruption they would have been free at this moment from a debt of one hundred and twenty millions, which crippled all their exertions, and have seen the nations around them, as well as the inhabitants of Eng-

land, bowing to their Constitution as the great type and example of happiness, instead of seeing (he was now speaking their own language) the first principles of Government broken up, and the country involved in a war to prevent even the internal dissolution of her own Constitution.

There were some, he said, who, forced by their former opinions and practice to admit the existence of those evils and the advantage of some reformation, yet objected to the generality of the motion and the want of a specific object. He, on the contrary, thought that the generality of the application constituted at once its practicability and its safety. The Petitioners recollected, as they ought to do, that they were not without a Government which, with all its defects, was still worthy of their confidence and affection: they did not, therefore, step into their place to legislate for themselves, but looked up to their wisdom and authority to provide, as in other cases, for the common good. And it was truly said by an honourable gentleman whose works he had already cited, that nothing would be more dangerous than for Parliament to take advantage of the inartificial mode in which the people express their wishes, or to take post upon their silence. — “ If we should be able, by dexterity, power, or intrigue, to disappoint the expectations of our constituents, what will it avail us? We shall never be strong or artful enough to parry or to put by the irresistible demands of our situation, which calls upon us with a voice which *will* be heard. If *all* the nation are not equally forward to press this duty upon us, yet be assured that they all equally expect we should perform it. The respectful silence of those who wait upon your pleasure ought to be as powerful with you as the call of those who require your service as their right. It is not wise to force the people to speak out more plainly what they plainly mean.”

But though no specific remedy was called for, the general nature of it was obvious. It obtruded itself upon the view from the bare consideration of the complaint. The complaint was, that the people had no control in the choice of their representatives; that they were either chosen amidst riot and confusion, and amidst bribery and corruption in the larger districts, or by the absolute authority of a few individuals in the smaller; that no private fortune, even if election were free,

could bring up the electors to the poll at a county contest, or the absent freemen in those numerous cities where the election is in the corporation, or stand the expence of the final issue in that House.

The principle of the remedy, therefore, must present itself to every mind alike, though different persons might differ in the details. It could be no other than to simplify and equalise the franchise of election, to make each body of electors too large for individual corruption, and the period of choice too short for temptation, and, by the subdivision of the places of election, to bring the electors together without confusion and within every man's reach. Surely this was practicable.

With regard to the time, against which so much had been objected, it appeared to him, that if ever there was one season more critically favourable than another for the object, it was at that very moment. When, indeed, the arbitrary monarchy of France was battering down by the exertions of a great people, and nothing was seen but virtuous exertion and exultation, it might be admitted that in such a conjuncture men might run before the mark, and confound principles together which had no connection. Such was the alledged, but not the proved, state of England when his honourable friend gave notice last year of his motion. The objection then had, therefore, at least, a *plausible*, though not a just, foundation. But, good God! said Mr. Erskine, how different, on the admission of the objectors to the times, was the state of the country at the present moment—starting back with horror at the crimes and calamities of France, and seemingly forgetting all distresses in an enthusiasm for their own Government! Surely common sense proclaimed that to be the hour of reformation, more especially when it was left to themselves to originate and to fashion it. So far from being urged on by the people to go too far, they trod like men who feared that the ground would break under them, and could hardly be brought up to the point which their understandings dictated. Let them seize, therefore, that happy and providential crisis to do, with popularity and safety, what to save their country must be done at last: let them exhibit to the world the vessel of the English State riding amidst the storms of the world, held by her three equal anchors, which keep her motionless and in safety by drawing her equally in



their different directions. This was the way to perpetuate the love of monarchy. If they really thought that a spirit of discontent walked abroad, and menaced the safety of Government, let them make haste to lay it, by rendering Government respectable. If they wished to expose and to discountenance the visions and theories of the day, and to prevent their practical effects, let them exhibit to the People of England, in practice, the real genuine Constitution of their fathers, and give them the happiness which flows from its administration. This was the cure for sedition, and the road to content. He should not farther detain the House at that late hour.

Several gentlemen rose to speak, and several called out adjourn.

Mr. STANLEY moved to adjourn the debate.

Mr. Chancellor PITT said he wished the question to be as speedily decided as possible; but as from unavoidable circumstances the debate had begun at a very late hour, and many gentlemen were desirous of delivering their sentiments upon it, he should have no objection to adjourn the debate.

The question of adjournment was put, and the House divided,  
Ayes, 181; Noes, 109.

The House adjourned.

*Tuesday, 7th May.*

Mr. STANLEY, who moved yesterday for the adjournment, rose to state, that he conceived the subject to be of the greatest consequence, and made his motion in order to afford an opportunity to all the honourable Members to deliver their sentiments, for the mutual improvement of all. The Constitution, consisting of three branches, was admirably adapted to promote the liberty and happiness of the nation, but they had their distinct provinces. The Chief Magistrate would naturally guard his own prerogatives; the Peers would watch over their privileges, and it was to be hoped that the House of Commons would devote itself in an especial manner, to secure the well-being of the people. The Commons should not wait to be instructed and excited by their constituents to promote their interests, but they should fore-run them in every thing. If there was danger, it ought to be discovered, and guarded against, in the first instance, by the representative body. If

disorders prevailed in the Constitution, it belonged to them to apply the remedy ; or if palliatives were necessary, they were the most proper to apply them. The reform of Parliament should proceed from the Parliament itself, if a reform was necessary. He declined entering into the question whether that House required any amendment in the state of its representation ; if he were called upon to speak his sentiments, he should not hesitate to say that it did require it, but it was of the utmost moment to consider whether this was the fit time for it. Many things might be proper under particular circumstances which would be highly improper in a different situation.— This was a season of war, alarm and internal disquietude, men's passions were inflamed, and the best disposed were not in a temper to agitate great changes. He did not allude to the affairs of France ; whatever their principles were, he knew that Englishmen loved their liberty, and adored the Constitution. But heats and animosities had lately unfortunately prevailed in this country to such a degree, that he feared this was not the time to agitate the question before the House. He admitted that the Executive power must have a control somewhere, and that House was certainly the place for it. But sooner than risk the dangers of innovations at improper seasons, he would consent for a time, especially under a mild Government, to have his liberties suspended. Under an Aurelius, or Henry IV. he would prefer the abridgement of his freedom to those violences that are ever attendant upon revolutions.— Although he was a steady friend to the Reform of Parliament, he desired it to be understood that he was so under some modifications. He entirely differed from those gentlemen who wished to extend the elective franchise to all. Amendments were necessary, and when the time should come best adapted for the purpose, he would heartily concur with the Friends of Liberty in promoting them.

Mr. BUXTON thought it his duty, upon the present subject, to express his sentiments, and not to confine himself to a silent vote upon the occasion. He professed himself to have ever been the friend of reform, and should certainly, if the circumstances of the time were in his mind such as were compatible therewith, give it his support. But he thought the present period, when we were involved in war, an unfit period

for entering into any discussion whatever upon the subject. He thought it a point of too great nicety to be tampered with in the moment of uncertainty; it should be only entered upon when the principles of the people were more fixed and settled than they are at present. With regard to the Russian armament, which had been at various times alluded to, he was decidedly of opinion, both then and now, that it was a proper and politic measure, though the people exclaimed against it; and if the Minister had not been prevented from the prosecution of his plan, we should not now have seen what every sincere lover of liberty must deplore, the downfall of the liberties of Poland, and the partition of her territory between ambitious powers. At present the people at large were, he thought, content with their situation: they have been alarmed by the importation of French principles, which tend to confusion, anarchy, and rebellion, and they would rather submit to some inconveniences than press the proposed reform at the risk of disturbing the internal tranquillity of the country; were it not so, there can be no doubt but that your table would have been covered by petitions from every county in the kingdom; and when that should take place, he would cheerfully concur with their wishes. He concluded by declaring his opinion, that the present was an unfit time for inquiry, and upon that ground should oppose going into the Committee.

Mr. DUNCOMBE said, that, upon the present occasion, he could not be silent; that he ever had been, and ever should remain, the firm friend and supporter of a rational Reform in Parliament; he had twice had the honour of seconding motions made by his right honourable friend (Mr. Pitt) upon that subject, though he much feared at the present time he should dissent from the opinion he held; he was sorry to differ from him, because there was no person of whom he entertained a higher opinion, or for whom he had a more sincere regard, and, in his opinion, he had merited, for his support of a Parliamentary Reform, the highest praise—greater praise, in that respect, than the right honourable gentleman opposite him (Mr. Fox) who had ever professed himself the friend of reform, but had never brought forward any specific motion for that purpose. With regard to the objections which had been stated against reform, he seemed to differ widely from the gentlemen who stated them;

he did not see the present period in that alarming point of view in which it had appeared to other gentlemen—there was nothing which he could see in the present time that rendered it unfit for the discussion of any subject whatever. The other objection which had been urged, seemed to him equally frivolous, the disturbances in France, which had arisen from the innovations made in the form of their Government: dreadful indeed would those calamities be to this country, if they should prevent us from protecting and supporting our liberties, or from entering into any discussion upon the reform of such abuses as may have insinuated themselves into our Constitution. It had been predicted by an eminent statesman and politician, the late Earl of Chatham, that the abuses of Parliament must be reformed before the end of the present century; he was much inclined to believe the prediction; for when the people raised their voice, they must be heard; he was well assured, that it was now the opinion of the majority of the people, that a reform in the state of the representation was become necessary; he wished Parliament therefore, to make a merit of granting what would otherwise be forced from them. He urged the great benefits arising from well-timed concessions, and the evils that might thereby be avoided: by a well-timed concession we might have saved America; for if in the first commencement of our disputes with that country, we had consented to have given up one half of what we were afterwards compelled to—we might have saved ourselves the loss of the colonies, and the disgrace of submission. Another instance of the benefits that might arise from well-timed concession, and the dangers attending the withholding what is proper and necessary, he adduced from the disputes between the unfortunate Charles and his Parliament; he contended, that if Charles had made a merit of granting at first what he was compelled at last to surrender, he would have preserved his Crown, and avoided the dismal catastrophe which followed. If he were allowed to give an impartial opinion on the plan proposed by the honourable mover of the present question, he appeared to him to lean rather too much to the principle of popular representation, which he disapproved of; at least he had gone so far as to say, that he did not entirely disapprove of the plan of reform laid down by the Duke of Richmond; though he was an admirer

of rational reform, he could not assent to a measure of this kind. An honourable Member, (the late Henry Flood) had some years ago introduced a plan of reform, which, in most respects, met his approbation; it was very different from the present plan. He should, however, then vote with the honourable gentleman, (Mr. Grey) who, he conceived, was not treated with sufficient liberality by some gentlemen. Mr. Duncombe alluded to the assertion of Mr. Jenkinson on the former day, relative to rotten boroughs, and said, that honourable gentleman spoke as if Parliament ought not to be the representatives of the people. The associations of last winter, while they were so strenuously supporting the Constitution, acknowledged the existence of abuses, and he conceived the present as fit a time for their correction as any other.

Sir WILLIAM YOUNG felicitated himself upon the advantage which he then possessed by addressing himself to those who had been elected to that House by persons of the description that he hoped would ever enjoy the right of sending Members to Parliament. If the present measure should be adopted, he had little hopes of a patient hearing by a House that should be elected by those who seemed to be peculiarly favoured by the petition that gave rise to this debate. He had uniformly maintained one opinion since he began his political career, viz. that the country had too much of a commercial turn, and that its commerce would soon become more than a match to its virtues. He rejected the cautious manner in which the business was treated yesterday, and he meant to speak out plainly and fully. The petitioners proposed a measure that evidently tended to throw weight into a scale that preponderated too much already. Were it not for burgh tenure boroughs, and others that were bought—[Hear! Hear!] Sir William reminded the House that he had declared he intended to speak out, and therefore he would repeat, that boroughs bought and controlled by men of property formed the only balance to the commercial influence, which was increasing by too rapid strides, and which ought to be checked. The Constitution of the House of Commons, as at present formed, was absolutely necessary to the support of the Constitution of the kingdom: alter the former, and the latter must perish. He denied that true representation was founded either upon property or num-

bers abstractedly considered. A delegation of Members to that House ought ever to be of gentlemen answering the description of those whom he then addressed, persons having one common interest with those who sent them there. Sir William Temple, in his account of the Constitution of the United Provinces, states, that there is more property in Amsterdam, and more numbers in the Province of Holland, than all the others united, and yet no objections have ever been urged against the representation of the whole; he was therefore of opinion, that the petitions were ill-founded, and that no alteration ought ever to take place.

Sir WILLIAM MILNER began with declaring, that he was not now influenced by any apprehension of danger; though, the distance of three months back, he would have urged the supposed danger against any proposition for reform: he had been then, indeed, a good deal alarmed, and, as he now believed, unnecessarily. He said he had been a friend to reform formerly, when that cause had been taken up by the county of York; and he would be glad, either now, or at any future time, to join again in that cause, if taken up by that county, and by the honourable Member for the county, Mr. Duncombe. He spoke in strong terms of the respectability of the petitioners, and of the Society of the Friends of the People; but said he could not give his vote at this time in favour of the motion. He could not do so for this reason, that he conceived the majority of the voice of the people to be decidedly against it; and the honourable gentleman (Mr. Grey) had himself stated, that laws must, to bind all, be consented to by all. He did not believe that any of the petitions on the table spoke the sense of the people; he was satisfied that any idea of reform was, at the present moment, against the sense of the people; and, for that reason, he must vote against the motion.

Mr. FRANCIS said, Mr. Speaker, I cannot but congratulate the friends of Parliamentary Reform, and the country in general, on the auspicious opening of this debate. The three gentlemen, who have spoken first this day, Members of Parliament as respectable in point of character and situation as any who sit here, and totally unconnected with any of the parties, by whom the present motion is supported, have declared themselves strongly, though generally, friends to the measure. I

receive the declarations they have so honourably made, as a pledge of their principles, and an omen of success. The two first of these gentlemen have doubts about the time. They think we ought to wait for a more favourable opportunity, when they shall be ready to concur with us. Undoubtedly it is for *them* to judge, at what period they will act. I wish them only to recollect that, when this measure was introduced last year we were at peace with all the world, and the country was allowed to be in flourishing circumstances. The question, put to us then, was, why are you not satisfied with the advantages you enjoy? Why should you wish to change or improve, when all is well, and when apparently the people are contented? That argument will not do now; but the enemies of reform have another in readiness to serve their present turn.— They have clothes for all seasons. Since last year, the state of the kingdom is completely reversed. We are involved in a foreign war, and this war is attended already with uncommon domestic calamities. *Is this a time to think of changes in the Constitution?* for so they are pleased to call every measure, that proposes to correct abuses, by reverting to principles. *Is this a time to disturb or agitate the minds of the people, or to weaken the hands of Government?* These gross contradictions ought to defeat one another. It is not fair to suffer such hostile and inconsistent arguments to act in concert, as they do, against one and the same measure. With respect to times and seasons, I shall only say that, to minds, unwilling to do right, all times are equally inconvenient and improper. To him, who dislikes the voyage, all the winds of Heaven are equally unpropitious. He looks for nothing but pretences to avoid it.— The honourable and worthy representative of Yorkshire\*, has declared himself frankly, and without qualification or reserve. He says he is a friend to a Reform of Parliament now and at all times, because it is now as necessary and as safe as it can be at any other period. But, if the war be an immediate objection to the attempt, he trusts that objection will not last long, that it will not be permitted to subsist any longer to the ruin of the country. He considers the war, as I

\* Mr. Duncombe.

do, as in itself a mischief enormous. But, when the authors of it, not contented with the calamities inseparable from war, make it a pretence for objecting to the only measure that can restore and preserve the Constitution, the only one that can prevent such ruinous wars in future, then indeed it is time to remove this pernicious obstacle out of our way, and put an end to this treacherous objection. The honourable Baronet, who spoke last, assures us that our ideas of correcting abuses are visionary and impracticable; that they are inconsistent with that corrupted state of manners and morals, which riches and luxury have introduced into the nation, that the country is too great a merchant to be honest, that we are too commercial for our virtues, and this he says in the House of Commons of Great Britain, in the presence of the representatives of the first commercial nation in the world; and this he says, while his own personal independence stands on the possession of a fortune derived from the very sources of industry and commerce. [*Here Mr. Francis was called to order by Sir William Young.*] I do assure the honourable Baronet, I had no thoughts of giving him offence. I shall therefore content myself with observing generally, what I am convinced is true, that commerce in itself, and conducted on its true principles, as it has been in this country, excepting always one spurious and dishonourable branch of it, has no tendency to corrupt or degrade the character of the people who are engaged in it; but that, on the contrary, by making them apply their faculties to active occupations, it keeps them out of vice, and that in proportion as commerce expands her operations, their real tendency is to enlarge, to enlighten, and to improve the mind. But, if the fact were otherwise, what conclusion would he draw from it? Would he have us abandon the resources of our trade? Would he risk the loss or diminution of those revenues, which alone can support the present war, in order to mend our morals? It may possibly be true, as he says, that we are too commercial for our virtues; but I am afraid that our present situation calls for every contribution, with which commerce can supply us, and that neither the virtues nor the resources of the landed interest will be sufficient to enable us to encounter the expences, the debts, and the distresses, which the present perni-



cious war is likely to bring along with it. But these incidental reflections have carried me too far from the question before us. It is time I should return to the purpose, for which I rose.

Sir, I voted against the adjournment last night, for other reasons, but principally because I was desirous of adverting to some passages in a very ingenious speech made by a right honourable friend of mine\*, while they were fresh in my memory. However, as this is a continued debate, I believe I shall be strictly in order, in referring to what he said, as far as my memory will serve me. I know myself and him too well, to think of entering into a competition of any kind with my right honourable friend. Between him and me, a hostile contest, I am sure, can never happen. My intention is, not to provoke an unfriendly difference, but to solicit an amicable discussion, such as those with which he has often favoured me, on other subjects, and in happier times. If I should appear to question his judgement, to combat his opinions, or, in this single instance, and on this occasion only, to undervalue his eloquence, no man, I trust, will suspect me of the folly of pretending to an equality with him. The rank and qualifications of men should be measured by their pretensions. To imagination or eloquence, I have none. But I will not descend so low as to profess that I have no judgement, no judicial faculty whatever to examine or pronounce upon the genius and eloquence of others. It would be a poor affectation to stultify myself for the sake of a comparison in favour of any man.

I cannot follow my right honourable friend in the endless excursions of his rapid imagination. Sometimes he soars so high into the regions of the air, that it would require the eye and the wing of an eagle to pursue him. Then down he drops, with equal rapidity, from Heaven to earth, to the depths of the sea, and to the waters under the earth. I cannot fly, nor swim, nor dive as he does. But if, for a moment, he will condescend to restrain the præternatural activity of his mind, or reserve it for occasions, in which fancy ought properly to predominate over reason,—if he will descend from these altitudes, and meet us on plain level ground, for the purpose of discussing

\* Mr. Windham.

a plain terrestrial question, not of abstract speculation, not of theories untried, but of practical prudence ; then, Sir, he shall find me as ready to be guided by his wisdom, as ever I have been to listen to his eloquence. On this subject, of all others, he is most strictly bound by his duties to satisfy my understanding. On the present occasion, in my judgement, he has not filled up the dimensions of his mind. He has been eloquent and brilliant ; but as to the purpose, and business, and duty of the debate, he has totally failed. On this head, I have many complaints to make of him ; but he may be sure that I shall never appeal against him to any man but himself. In the first place, then, I accuse my right honourable friend, in his own Court, of bad taste in the composition of some of his late speeches, particularly the last. Let the occasion, the subject, the argument, be what it may, he has but one way of treating it. War and peace, the repair of a turnpike, the better government of nations, the direction of a canal, and the security of the constitution, are all alike in his contemplation. The French revolution is an answer to every thing ; the French revolution is his everlasting theme, the universal remedy, the grand specific, the never-failing panacea, the perpetual burden of his song ; and with this he treats us from day to day ; a cold, flat, insipid hash of the same dish, perpetually served up to us in different shapes, till at last, with all his cookery, the taste revolts, the palate sickens at it. Has he no choice of topics ? Has he lost the fertility of his mind ? Are the sources of his imagination dried up or exhausted ? Has he no way of opposing a reform of corruptions and abuses in our own system, but by telling us incessantly what mischiefs have been done by madmen in another country, acting in circumstances totally differently from ours ! Has he no other way to convince and satisfy sober Englishmen, debating on a great and serious interest of their own, but by warning them against the folly and wickedness of the French ! Let me intreat my right honourable friend, if his wit and wisdom be fairly worn out in the service, to console us at least with a little variety. I know he is a privileged person. I know with what favour he is heard at present. Yet, after all, it is not generous in him to persecute, as he does, so patient an audience. But these are trifles. I have a heavier charge against my right honourable friend, of which he

himself shall be the judge ; for the confidence I repose in his honour and in his virtue is unbounded. I accuse him of suppression of evidence in the very statement of his own favourite argument, of palpable partiality and injustice to us, to the French, and to himself. The eminence of his mind ought to give him a commanding view of every part of every subject, to which he applies it. If the French revolution be his theme, I expect it from his personal honour, I demand it from his justice, that he will bring the whole of the question impartially before us. I cannot suffer him to confine the comprehensive powers of his superior understanding to narrow imperfect views of so great a subject of meditation and instruction. I deny that there is any fair, any rational conclusion to be drawn from the circumstances of the French revolution to the situation of this country. The people of England neither want the warning nor the lesson. But let him state it so, if he pleases. Give us the example, but give it to us entire. Is it fair, is it honest, is it truly instructive, to insist upon the mischiefs, which the French revolution has produced, and to keep out of our sight the original enormous mischief, which produced the revolution ? What use, what benefit, what lesson, am I to derive from a bare knowledge of the effect, if the cause of that effect be carefully concealed from me ? Let him bring the case completely before us, and then I shall leave him at liberty to load whatever part of it he may think the most odious in the instance, or most dangerous in the example. He cannot paint to me the horrible crimes and calamities with which the French revolution has been attended, without carrying back my mind to the source and origin of those evils—to that infernal despotism, under whose rod a mild and generous people have been perverted into a nation of savages. Such was the school, the master, and the education. What scholars did he expect from it ? If he states the premises fairly, and argues regularly from them, I care not to what length he carries the deduction ; his conclusion must be mine. The fruit has been bitter indeed, and blasted be the tree that produced it ! These are the grand comprehensive lessons, which I expected from the genius and wisdom of my right honourable friend. In me, it is no flattery, no compliment to acknowledge the intellectual superiority of his mind. He knows how little I value these advantages

in themselves. The abilities of eminent men are their weapons, not their merits: let us see what use they make of them. How has it happened, how was it possible, that of all the important reflections, suggested by the events which have happened in France, the only one really applicable to the instruction of those whom it concerns in this country, should have escaped him! I mean to state it in the form of a supposition only, and leave the inference to be drawn and applied by every man to his own use.

We have seen the consequence in France of driving a submissive people to the violent application of extreme remedies to extreme disorders. Let me ask my right honourable friend, or any man, who knows what the internal state of France was for a few years before the late convulsions, whether if, at any earlier period, suppose for example at the accession of Louis the Sixteenth, there had been wisdom and virtue enough in the constituted powers and orders of the kingdom, in the Ministers of the executive power, in the nobility, in the clergy, in the Parliaments, to have granted some reasonable, though moderate relief to the people, to have corrected some of the most intolerable abuses in the Government, to have surrendered some part of their own invidious, oppressive, and very often useless privileges with a good grace—whether, in that case, he does not think it probable that the ruin, which their obstinate adherence to the established system has brought on themselves, and on their country, would have been prevented? For myself I can affirm, that it is not possible for the human mind to feel, on such a subject, a conviction more decided and complete than I do, that, if the prudent concessions I allude to, had been made in time, the monarchy of France at this hour would have stood untouched, and that the hierarchy, the nobility, and the law, instead of being crushed and demolished as they have been, would have remained in their places unmoved, with no material diminution either of profit or splendor, and certainly with greater security than ever. They yielded at last, but at last it was too late. Upon us, I hope, the example of their conduct and its consequences will not be thrown away.

I have impeached the taste and justice of my right honourable friend. But I have another appeal to make to his personal spirit, which I know to be as high as belongs to any man.

Let me intreat him to consider, whether it be consistent with his character, to exhibit so much courage, where there is so little provocation or occasion for it. On the crimes committed in France it is an easy matter to enlarge : but to what purpose ? Who is there in this House to be convinced or converted on that subject ? He may flourish his sword in perfect safety on this ground, as all men may do, who have nobody to contend with. Certainly he will meet with no opposition, but on the contrary, the most hearty concurrence in me and every person with whom I have the honour of acting in this place. With all his imagination I defy him to conceive, with all his eloquence I defy him to express, a deeper sensation of disgust and detestation, than all of us have felt at the abominable scenes which have lately been exhibited at Paris.

My right honourable friend must now permit me to lay another instance of injustice to his charge—extraordinary indeed in its nature, though not very important in its effect ; and this shall be the last. The House have heard him, with every pleasure that belongs to astonishment, while he ranged over the whole circuit of human science, and glided through every region of the moral as well as the intellectual world ; through ethics, mechanics, pneumatics, hydraulics, geography, mathematics, astronomy, and logic ; through all the polite arts, of swimming, flying, burning, skating, diving ; the learning of his library, and the meditations of his closet. On one subject alone he has studiously maintained a most delicate reserve. The unfortunate motion on your table, as far as I am able to recollect, has never been blest with a single moment of his attention. On the actual subject of the debate, you may find him every where but at home. One would have thought, Sir, that the power of invention could have added nothing to the curiosity of this proceeding. Other men, perhaps, with industry and resolution, might have stated the premises, and applied them to the question as accurately as he has done. But it was reserved for the genius of my honourable friend to discover a connection between those premises, and the conclusion he has drawn from them. After giving the House a specimen of his skill in every department of abstract science, of the depth of his theories and the extent of his speculations, without bestowing a single glance on the simple question, whether we shall

or shall not appoint a Committee to consider the petition, my honourable friend turns short upon us, and says, *look you, gentlemen, I am a plain practical man. I take things as they are. My opinions are founded on experience. It is you, philosophers, you theorists, you metaphycians, who have done all the mischief, and would do much more, if you were not counteracted by simple, solid, experimental understandings, such as mine!* I believe, Sir, I may venture to say, that a more noble instance, than this, of bold and vigorous incongruity, a more intrepid *disparate*, as I think the Spaniards call it, is not to be found in modern or ancient eloquence.

In the course of this debate some remarks have been made on the petition on your table, and some invidious inquiries about the persons, who have signed it. Allow me to answer them by stating the fact. Undoubtedly, Sir, if they, who have prepared this petition, had thought that the authority of numbers would be useful to strengthen the remonstrances it contains, or to enforce the prayer of it, they might easily have contrived to get it signed by many thousands. But, if they had done so, what would have been the consequence? We should immediately have been told, and I think with reason, *You have brought us a long, laboured, intricate representation, signed by multitudes, who could not possibly have read it, or known what they were signing.* Foreseeing this reflection, we have taken a wiser course. The petition is signed by a few; but by no man, who has not read it, who does not understand the contents, and is not convinced of the truth of it. The quality of the petitioners too, I presume, will be thought to entitle them to attention. It is not that I regard these factitious distinctions myself; but they, who do, may be assured that the majority of the petitioners I know, and all of them, I believe, are gentlemen who, in point of rank and fortune, are on a level with the generality of this House, and that, if I had not been precluded by my situation in Parliament, I should have been proud of signing it myself, and even have claimed it as the post of honour to have taken my station among the foremost in the list. I have no earthly personal interest in the success of the measure. On the contrary, the agitation of this question has been to me the source of infinite personal uneasiness; of coldness, distance, and separation in private life, where once the warmest friend-

ship and affection have subsisted ; but my heart and mind go with the measure, and, while there is hope, I never shall abandon it.

An honourable gentleman \*, I think, observed last night, that, in fact, there was no occasion for so general a remedy as that which the petition aimed at. He did not deny that corruption existed in the election of the House of Commons ; but in part, he defended the practice as a thing tolerable in itself, and for the rest, he assured us, that the worst part of the abuses in question were gradually decreasing ; that, as the instances occurred, they would be successively corrected, and that, let the evil be what it would, this was the best way of removing it. That honourable gentleman will pardon me, if, with longer experience and observation of the subject, I differ from him about the fact. I affirm, with certain knowledge, that corruption has been for many years, and is in a state of progression ; that is, from the Revolution to this hour. How it stands now, I need not attempt to explain ; for I am in the company of those, who understand the subject as well as I do. But I beg leave to state to the honourable gentleman what the situation of parliamentary bribery and corruption was in this country about twenty years ago. The instance is curious and the authority unquestionable. I take it from a letter written by the late Earl of Chesterfield to his son, never intended to be made public, and unconnected with party views of any kind, even those of the time he lived in.

*Extract of a letter from the Earl of Chesterfield to his son, dated December the 19th, 1767.*

“ Since that I have heard no more of it, which made me look out for some venal borough ; and I spoke to a borough jobber, and offered five-and-twenty hundred pounds for a secure seat in Parliament ; but he laughed at my offer, and said that there was no such thing as a borough to be had now ; for the rich East and West Indians had secured them all, at the rate of three thousand pounds at least ; but many at four thousand ; and two or three that he knew, at five thousand.”

Perhaps it will be said, the times are mended. Sir, for myself I can only protest, that I have some reason to think

\* Mr. Jenkinson.

otherwise. So far from any fall having taken place in the price of boroughs, I believe it never was higher than it has been lately, and that the most unfair advantages have been taken, by dealers and chapmen, of customers in particular situations.— I have heard of a worthy gentleman who, after having made his bargain for five thousand pounds, without being known to the other party, was charged six thousand as soon as his name was discovered, and merely because the proprietor of the commodity would not take less from an honest gentleman, who had existed in the East Indies. You will allow, Sir, that the worthy person I allude to was hardly treated in that affair.— I give you this instance, out of many, as a proof of the actual state of the abuse. You see, by Lord Chesterfield's letter, how the case stood twenty years ago. Do you seriously believe that the purity of borough mongers, and the morals of the electors of Great Britain, are mended since that time? that the commodity is not so scarce, or the demand for it not so considerable as it has been heretofore? On that point, I can give you nothing but my own opinion and conviction, and I shall give it to you now, in the solemn adopted language of Parliament, *that corruption has increased, is increasing, and ought to be diminished.*

The Earl of MORNINGTON said, that his objections applied to the whole spirit and substance of the measure which was the subject of this debate; but that he did not mean to complain of the particular form in which it had been introduced into the House. Every proposition containing a specific plan for altering the frame of Parliament, must involve many intricate questions of detail, and must lead to the consideration of a variety of complicated and minute provisions.— The discussion of such a detail had been sometimes supposed to offer the most advantageous ground of opposition, which could be desired by those who were determined to resist the introduction of all new projects of representation, and to maintain the constitution of Parliament on its old foundations.

For his part, he desired no such advantage in this argument: he rejoiced, that on this occasion no specific plan had been proposed, which, either by the number and variety of its defects, or by the plausible appearance of some subordinate parts, might divert the attention of the House from that great,



leading, and preliminary question, on which he was anxious, in the first instance, to fix the minds of those who heard him, “ Is it necessary for the public good to make any alteration in the existing frame of Parliament ?” The honourable gentleman (Mr. Grey) had held an open and a bold language, and his candour in that respect deserved acknowledgement : he had plainly avowed, that if a Committee should be granted, and if adequate remedies should be applied to the grievances alleged in the petition, the event must be “ a change in the Government of the country.” By a change in the Government, the honourable gentleman could not intend merely a change in the Administration : he was, undoubtedly, incapable of proposing to the Nation, to alter the whole order of the representation in Parliament, for a purpose so unworthy as that of transferring power from the hands of any party to those of another ; he could not intend to pursue, by such means, an end comparatively so trivial.

His purpose, therefore, is something of a more serious and durable nature ; it is to change, not the Administration only, but the very genius and spirit of the British Government ; to separate those elementary principles of monarchy, of aristocracy, and of democracy, which are now mixed and blended in the frame of this House, and by combining them again, according to some new and different rule of proportion, to create a system, of which we at present know nothing more, than that it is to be new in its texture, and wholly different in its effect from the existing order of our happy constitution. A project so stated, and of such extent, has not been agitated in Parliament during the present century ; and it is a duty which we all owe to the present and to succeeding times, to pause, and to deliberate with the utmost caution, before we consent even to take the first step towards a measure of such powerful effect, and of such lasting consequences. Before we part with those foundations on which the Government has been so long settled, it becomes us to recollect what that is which we are about to destroy, and to ascertain, as far as human foresight can enable us, what is likely to be substituted in its place.

Lord Mornington said he would state, as distinctly as he could, the several questions which occurred to his mind as necessary to be carefully examined in the earliest stage of this de-

liberation. In the first place, we ought to examine what is the nature, extent, and value of the practical benefits which the people actually enjoy under the present frame of Parliament? and whether they are so evidently unconnected with the present frame of Parliament, that an alteration of it could not possibly endanger their continuance? In the next place, what is the nature and extent of the practical grievances now alledged?—whether they can reasonably be imputed to any defect in the frame of Parliament—and if they can, whether they are of such weight and importance, as to overbalance the benefits actually enjoyed by the people? And lastly, is there a reasonable prospect that such a Government is likely to be substituted in the place of the present, as shall better secure the benefits actually enjoyed by the people, or afford a more certain and effectual protection against the grievances of which the petitions complain?

In considering the first question, no argument is necessary to persuade the House of the real existence of those eminent and substantial advantages which, for more than a century, have been universally felt, acknowledged, and understood, in this happy and flourishing nation. To enumerate them will be sufficient; and no man can hear them named without feeling a due sense of their value.

We know, that in many other countries a large share of political power has been directly exercised by the people. The form of all such Governments is, in the common acceptance of the word, free; but the practical result has often been the most odious and intolerable tyranny; and never, under any distribution of political power, of which the memory has reached us, or of which we now see the operation, have the true ends of society been so effectually accomplished, or so long preserved, as under that Government, which it is the professed design of this motion to change. Under that Government, the life of every individual is secured by the mild and equal spirit of the law; by the pure administration of justice; by the admirable institution of juries; and by the gracious and equitable exercise of that prerogative, which is the brightest ornament of the British Crown, the power of mitigating the rigour of criminal judgements, and of causing law and justice to be executed in mercy. Under that Government, the liberty of the subject is established on the same foundations, and protected by the same

safeguards, which maintain the whole system of order in the State ; it is a temperate and rational liberty, inseparably connected with all the most sacred duties of society, and while it adds new force to every civil, every moral, and every religious obligation, it derives from them its most powerful activity and its most substantial strength. Resting on such foundations, and united with all the virtues, and with all the genuine interests, both of the Monarch and of the People, it has long remained inviolate ; and it seems to contain every principle of stability, which can enter into the frame of any human institution ; for it can neither be abused by the subject, nor invaded by the Crown, without equal hazard to the safety of both ; without endangering some fundamental principle of private tranquillity and domestic comfort on the one hand, or without disturbing the harmony and impairing the vigour of the Monarchy on the other. Lord Mornington next spoke of the right of property, a right which, he said, was rendered sacred by the whole tenor of our laws, and was the basis of the constitution of Parliament.

These are the principal advantages which every subject of the realm now enjoys—the safety of his life, of his liberty, and of his property ; and surely these advantages will not be more lightly esteemed by a wise people, because they are become habitual by long and uninterrupted possession. They are, in fact, the true sources of the security, of the repose, and of the affluence of private life ; and therefore they may justly be deemed the efficient and immediate causes of all real happiness in society. These advantages are confirmed by a peculiar excellence in the practical effect of the present structure of Parliament. Whatever might be contended to be the defective state of the representation in theory, it is an undeniable fact, proved by daily, and almost by hourly experience, that there is no interest in the kingdom, however inconsiderable, which does not find some advocate in the House of Commons to recommend it to the attention of the Legislature. From the same sources are necessarily derived the wealth, the power, and the splendor of the Empire : it is the sense of safety, it is the confidence reposed in the protection of the Government, which have encouraged the subject to adventure the fruits of his industry and skill in those enterprises of agriculture, of commerce, and of manu-

factures, which, in the various stages of their progress, contribute equally to the profit of individuals, and to the prosperity of the State. From the united effects of all these circumstances, the collective interests of the empire have been in a progressive state of improvement ever since the period of the Revolution. Even during most of our wars, the advancement of trade, and general opulence, has not been interrupted, particularly during the war of 1756; in the course of which, the commerce of the nation was scarcely less prosperous than her arms. One unfortunate exception to this statement must be admitted—the American war. That war, (which, it had been already observed, was, in its origin, the war of the people) with every other calamity, undoubtedly produced a general stagnation in the sources of national prosperity.

In 1772, the value of the imports was	£.14,500,000
And that of the exports	17,700,000
They had sunk in 1782, to	£.12,700,000 imports,
and to	11,400,000 exports.

But whatever argument may be drawn from this period of disgrace and disaster, the rapid recovery of the country from the consequences of those misfortunes must not pass without remark.

From 1782 to 1791, the imports rose to	£.19,600,000
And the exports to	22,700,000
In 1792, they were	£.19,600,000 imports,
and	24,800,000 exports.

Decrease from 1772 to 1782,	} Period of American war.
Imports £.1,800,000	
Exports 6,300,000	

Increase from 1782 to 1792,	} Period since the peace.
Imports £.6,900,000	
Exports 13,400,000	

Increase of 1792 above 1772	Imports £.5,100,000
	Exports 7,100,000

Thus, with all the imperfections and irregularities of this reprobated frame of Parliament, the nation has risen from the lowest state of humiliation and adversity,

“ More glorious and more dread than from no fall,”

“ And trusts herself to fear no second fate.”

What had been the means by which the nation had not only surmounted all her difficulties in so short a time, but had been enabled to appear again among the States of Europe with increased strength, and with augmented splendor?

During that period, no change of the system of representation had taken place. Whatever was effected by the reduction of the influence of the Crown, proceeded from the House of Commons, under its present Constitution. There was nothing to aid the country in that memorable struggle, but the intrinsic vigour of the Constitution itself, neither improved, nor impaired by any alteration; it was the wisdom of Parliament, supported by the uniform confidence and co-operation of the people, which had been found equal to the arduous task of retrieving the affairs of the Empire, in a crisis of such difficulty and distress, as perhaps had never before been overcome by any Empire, of which the memory remained among mankind. This example, therefore, of the American war, considered in all its parts, exhibits another important practical excellence in the existing frame of the Government. For it shews, that if the Constitution has not the power (and what human work can have the power?) to exempt us from every vicissitude of fortune, yet it contains an active principle, which, after the most severe calamities, enables the nation to recover her strength by a natural effort, and to repair all her losses from her own internal resources. Lord Mornington then said, he did not think he was called upon to prove, that all these advantages would necessarily be destroyed by any alteration in the present construction of the House of Commons. The weight of proof in this argument must be imposed on those who propose a change in the Government. It is incumbent on them to shew, that these inestimable blessings are not interwoven with that system, which they mean to disturb. It cannot be denied that these blessings have been coeval with the present frame of Government. We know that they can exist together; we do not know that they can exist separately. Their co-existence for so long a period will be a strong presumption of their being intimately connected, until some stronger proof can be adduced to the contrary. It is not, perhaps, within the reach of human wisdom to trace each of these happy effects (which every man feels) distinctly to its immediate cause, in

any one of the mixed principles of our Government, or in the specific proportion which those principles bear to each other, as they are now combined; but it is at least as arduous an undertaking to prove, (without a previous experiment) that any different temperature of the same principles would produce the same effects; happier effects cannot reasonably be expected, or desired, and it would be a most criminal rashness, to commit the happiness of a whole nation to the hazard of a perilous experiment, which, at best, does not even promise any practical improvement in the civil condition of the people. Even in a Constituent Assembly, deliberating with no other view than that of selecting the best possible system of government, without prejudice in favour of any doctrine, and without attachment to any institution, under every imaginable circumstance of advantage to the honourable gentleman's cause, what would be the determination of this argument? Let us suppose, that in a Constituent Assembly, the honourable gentleman were not merely to avow a design of changing the existing Government of his country, but were to propose in its place a new theory, more perfect than any which the human understanding ever before conceived, and to all appearance exempt from any of the irregularities of the British Constitution; his eloquence, and his ingenuity would certainly be applauded. But if, on the other side, some person were to rise, and to oppose to that beautiful theory, a Constitution, which, however irregular and anomalous in some of its parts, had realized to the people, for more than a century, every substantial benefit, which the honourable gentleman could hope to attain by the complete practical success of all his most sanguine speculations; would not even a Constituent Assembly, (in which wisdom and prudence had any influence,) adopt that constitution, which had been proved to be competent to all the ends of good Government, in preference to a theory, framed with a view to the same ends, but of which the practical operation was untried, and must therefore be uncertain? Having stated these considerations on that question, which he had proposed at the opening of his speech, as the first to be examined, Lord Mornington next adverted to the nature of the practical grievances alledged in the petitions, and proceeded to inquire whe-

ther they were to be imputed to the defective state of the fabric of Parliament.

The principal grievances enumerated were—The whole system of the wars in which the nation had been engaged; the debt in which it has been involved by those wars; and the taxes with which the people are burdened in consequence of the debt; and it is asserted, that these evils could never have existed, if the representation of the people in Parliament had been differently modelled. That war is at all times a great evil, and that our wars have been the original causes both of the National debt, and of the taxes, is a truth which cannot admit of dispute. But it is also true, that under certain circumstances, war may be justly demanded by the unanimous voice of the wisest nation, and may become of necessity even the systematic policy of the most prudent, moderate, and incorrupt councils. In order to substantiate the comprehensive charge exhibited by the petitioners against every Parliament which has sat since the revolution, it must be proved, that our wars since that time have generally been undertaken in contradiction both to the declared sense, and to the manifest interests of the people. But no man who is not intirely ignorant of our history, will hazard a proposition so false in all its parts. The peculiar situation and circumstances of this island engaged the nation for a long time in successive contests for the preservation of her Constitution, of her trade, and of her foreign dominions. The wars which immediately followed the revolution, were absolutely necessary for the security of that auspicious settlement. The recent establishment required protection, not only against the abdicated King, and those who supported his cause at home, or who had followed his fortunes abroad, but also against the pride and jealousy of Louis XIV. He could not suffer a limited monarchy, founded on the liberties of the people, to grow up, and flourish in peace so near his throne. He naturally foresaw that such a Constitution must become a continual reproach to the tyranny of his Government, and an insuperable obstacle to the progress of his ambition.—It was therefore his policy to attempt the destruction of so formidable a neighbour, by every means both of open force and secret machination; and under such circumstances, every motive of self-preservation, of justice, and of honour, required,

not only that the English nation should oppose a firm resistance to the direct attacks of this restless and implacable enemy, but that a systematic plan of offensive alliance, and of vigorous war, should be steadily pursued for the effectual reduction of his overgrown and dangerous power.

These wars, undertaken in such a cause, and with such views, were the original foundation of the national debt; and if it should be observed, that they were undertaken in opposition to the wishes of a numerous party in the nation, let it be remembered, that the same party was equally disaffected to the cause of our liberties, of our laws, and of our religion.

The wars in the reign of Queen Anne were directed to the great object of preserving the Crown in the Protestant line, and of insuring the accession of the illustrious family now on the throne. Since the happy accession of that family, the great increase of commerce, and the extension of our dominions in every quarter of the globe, have excited the jealousy of other powers: the nation has often been compelled to defend the freedom of her trade; and in contending for that object, it has been her fortune to extend her foreign possessions by large and valuable acquisitions of territory. The defence of those acquisitions has again induced the necessity of having recourse to arms. And unless it shall be maintained, that to preserve the principal sources of our commercial opulence, of our revenue, and of our naval superiority, was an unwise and unjustifiable object of war, the policy and justice of the wars undertaken by the Princes of the House of Brunswick can be as little contested, as it can be denied that the conduct and event of those wars have been glorious to the military character of this brave people.

Lord Mornington said, he would not fatigue the House by entering more particularly into the history of the wars since the accession of George the First; but he would assert generally, that many of them were wars of absolute necessity; all were undertaken with the concurrence, and most of them, not only in strict conformity to the interests, but at the earnest desire of the Public. Perhaps it would appear on a nearer view of the subject, that the most popular wars had also been the most expensive, and had generally terminated in the largest increase of the national debt.



Here, however, the case of the American war was again to be distinguished from the rest. That war, it was well known, was commenced with the public approbation. It was undertaken for the specious purpose of asserting a right in Parliament of compelling America to relieve the Mother country from a part of the burdens incurred in the defence of the colonies, during the justly popular war of 1756. Lord Mornington said, he was one of those who had always condemned the whole policy of the American war; but it was well known that the opinion of the nation at large was never decidedly expressed in favour of a peace, 'until the last year, or, at soonest, the year preceding the last, of that unfortunate contest.

For a period, therefore, of two years at most, he admitted, that a difference of opinion had existed between the Parliament and the nation. But would it be contended, that, according to the very first notion of a representative Government, a temporary opposition to the desires of the people might not sometimes be essential to their permanent interests? In this case, therefore, the objection could not be to the general principle of interposing the caution and prudence of a deliberative assembly between the passions and caprices of the people, and the final result of the public councils.

The abuse of this salutary principle, in the two last years of the American war, was not of such a nature, and had not produced such consequences, as to compel us, at this time, to expose the principle itself to hazard by an alteration in the Constitution: since the diminution of the influence of the Crown, which had been effected by Parliament, the same abuse was not likely to recur to any considerable extent; and against the injury which the country had suffered in the last two years of the American war, must be set the rapid recovery of the national wealth and force since the peace.—Here Lord Mornington referred to his former statement on this subject.—This view of the wars since the revolution, leads to a conclusion directly opposite to the intentions of the petitioners; for it shews (subject always to the exceptions stated on the case of the American war) that the Parliaments of those times, if they had been chosen even by the individual suffrage of every man in the nation, could not have pursued a more pacific system, without betraying the interests, and rejecting the sense of the people.

With respect to the debt, being the inevitable consequence of repeated wars, it stands on the same argument with them : It originated in the reign of William the Third, when the principles of the Constitution were supposed to flourish in full vigour. If, since that period, it has grown to an enormous size, the resources of the country have not only kept pace with it, but have greatly surpassed it, in every stage of its growth, and ultimately have afforded the means of providing for its gradual extinction.

Lord Mornington said, that he could not leave this part of the subject without observing, that the petitioners, who had placed the debt at the head of their list of grievances, had not taken the trouble of ascertaining the extent of the evil of which they complained ; for they had stated the debt at 280 millions, which was an addition of about 40 millions to its real amount.

The petitioners appeared to be still more ignorant of the nature and amount of the taxes, which they represented as so burdensome to them. In the first place, they had stated the taxes at 20 millions, instead of 17. In the next place, they had entirely omitted to make any allowance for the very considerable augmentation of revenue, which had been the necessary effect of the increase of trade. A large sum, which they had placed to the account of increased burdens, as if they themselves suffered under them, arose, in fact, from no additional burden whatever ; but from the increased produce of the existing taxes, in proportion to the extension of our commerce, and to the progressive wealth of the nation. After what had been stated on the wars and debt, it only remained to be inquired, with regard to the taxes, whether they were imposed in such a manner as to bear more heavily on the people than the necessities of the state required ? Whoever examined the different branches of the revenue, must acknowledge, that the prevailing principle throughout the whole system of our taxation was to relieve the lower orders of the community, as much as possible, from the weight of the public burdens, and to throw it on those who were best able to support it.

He concluded this part of the argument, by remarking, that the choice of the particular moment for proposing to change the Government, on account of the debt and taxes, had not been very happy. The proposition had been started by those

who now bring it forward, precisely at the time, when, by the operation of a law, passed within these few years, Parliament had been enabled to redeem ten millions of the public debt; and had actually commenced a plan for the gradual diminution of the public burdens, by taking off some of those taxes, which pressed most severely on the indigent and laborious classes of the people. To swell the catalogue of grievances exhibited by the petitioners, much labour had been employed in the debate. Amongst other charges (to most of which sufficient answers had been given already,) it had been asserted, that from the defects in its constitution, and their consequences, this House had lost the confidence of the people. Lord Mornington said, he really could not understand to what moment within the period of these last nine years this complaint could consistently be applied by the gentlemen opposite to him. He had heard from those gentlemen, during almost the whole of that eventful period, a language totally different. He had heard them uniformly complain, that the support which this House had received in the nation, on the most momentous and trying occasions, was to be imputed to an universal delusion, which had spread over the whole kingdom, and had corrupted the judgement of the whole people. The confidence of the people in this House had not hitherto been denied, but it had been lamented as a fatal error: whether the people were really in the wrong on all those important occasions, or whether the gentlemen on the opposite side had contended that the people were in the wrong, merely because they happened to differ with them in opinion, is a question foreign to this argument.—

The fact that this House had met with the cordial support of the people during that period, could not be contested. Has any event happened of late, from which it can be collected that the people now repose a less degree of confidence in this House? Can it be collected, from the almost unanimous zeal with which they have so lately defended that Constitution, of which the frame of Parliament forms a most material part? Can it be collected from their cordial and vigorous co-operation in every measure which has been taken by Parliament, to resist the designs of France? Is it in the bounties to seamen and soldiers, or in the subscriptions for the maintenance of the widows and children of those who may fall in battle, that we

are to seek for the symptoms of a general disaffection to the existing Government, and of that spirit of jealousy and suspicion with which it is said all the proceedings of this House are observed by the nation?

Another grievance had been discovered by a learned gentleman (Mr. Erskine), which, Lord Mornington said, he rather mentioned for the singular ingenuity of the discovery, than as thinking it merited a serious answer. The learned gentleman had traced the origin of the French revolution, with all its errors, follies, and crimes, to the vitious constitution of the British House of Commons. The honourable gentleman who had just sat down (Mr. Francis) entirely disagreed with the learned gentleman; for he had told us that the French revolution, with its dreadful consequences, must be imputed solely to the despotism and corruption of the ancient monarchy of France.

Leaving those gentlemen to adjust their contradictory opinions, in all probability the events which had happened in France would not, in any view of them, be deemed an argument for changing the Government of Great Britain.

Thus stands the account between the benefits enjoyed under the present frame of Government, and the evils imputed to it. When the balance was struck, Lord Mornington said, he believed the House could not think that any change was necessary either for the ends of private happiness, or of public prosperity.

It still remained to be examined, what might be expected in the room of the present Government, in the event of a change?

Nothing having been distinctly stated on this head, excepting that a change is to be made, we seem at the first view to be left entirely to the uncertainty of conjecture on this most important of all the civil concerns of mankind. Perhaps this state of doubt and ignorance would be alone a sufficient objection to the motion; no wise and prudent man would commence the demolition of an established Government, under which he had lived happily and prosperously, without some knowledge of the system to be raised on its ruins, without some opportunities of comparison and of examination.

But the argument need not be rested on this ground. The candour of the honourable gentleman, and the indiscreet zeal of the petitioners, have given us the means of forming a tolerably accurate notion of the exchange which is likely to be offered to us in the Committee. If the honourable gentleman has not told us what he means to propose in the place of the present Government, he has distinctly avowed what he prefers to it. He has declared, that if he were to be compelled to make an option between the present Government, and that project, commonly called universal representation, (or the extension of the right of suffrage to every male adult in the kingdom) he has declared, that, reduced to such an option, he would not hesitate to adopt that strange and extravagant project. Whatever other plan he may have formed in his own breast, it is evident that he is prepared, under certain circumstances, to admit the plan of universal suffrage.

The question, therefore, arises, whether it is not probable that he may be driven to that very alternative in which he has already anticipated his own decision?

There is every reason to believe, that the great mass of the nation would reject any proposition, however framed, which was professedly designed to effect a change in the present Government of the country. The honourable gentleman is, therefore, reduced to the necessity of looking for support among the few, who have declared their discontent under that Government: his whole strength is in their numbers; and he must frame his plan of alteration in conformity to the favourite maxims of the majority of his supporters.

Of all the petitions on the table, he has selected one only, as deserving the consideration of a Committee. That petition is expressed with caution, but it is signed by fewer names than any other on the table, and is avowedly the production of the society of gentlemen associated under the title of the "Friends of the People." It cannot seriously be intended wholly to pass by all the other petitions; to treat them as utterly unworthy of notice; and to rely on this single petition as being sufficient of itself to justify a change in the Government, and to decide the principles by which that change shall be regulated: if such should be the intention, the majority of the petitioners will

probably be as little satisfied with the new project, whatever it may be, as they are with the present Constitution.

It is therefore reasonable to argue, from the general tendency of all the petitions ; and it is just to conclude, that whatever is the prevailing doctrine of representation, in which most of them concur, between that doctrine and the existing frame of Parliament the honourable gentleman must ultimately make his option.

Those petitions, which bear so striking a resemblance to each other, seem at the first view to have an air of moderation : but they all agree in maintaining it to be “ an undisputed principle of the Constitution, that the third estate ought to be elected by the Commons of the kingdom, or by a majority thereof.” These expressions, taken in the latitude in which they are here used, must be understood to comprehend every individual, or at least a majority of all the individuals in the kingdom, without any limit or distinction of property.

In the first sense, the doctrine requires no comment ; it is in plain terms the principle of universal suffrage, asserted in its utmost extent. The words, “ or by a majority thereof,” cannot reasonably be deemed a limitation of the first part of the proposition : for it is impossible to imagine any point, where a boundary can be correctly drawn between a right in the majority of the whole people, and a right in the whole people to exercise the elective franchise.

It may be remarked in passing, that no trace whatever of this principle, which the petitioners call “ undisputed,” is to be found in the whole history of the constitution of Parliament. The elective franchise, at no period, has been absolutely vested either in the people at large, or in the majority of them ; it has been distributed at all times according to some principle of selection ; in some instances regulated by property, in some by other considerations, but never by a mere numerical division of the individuals of the nation. Such is the doctrine on which those who profess to be the most moderate class of the honourable gentleman's supporters, desire to place the structure of Parliament. The next class speaks a less guarded language.

The petitioners from Derby tell us, that “ they are assured, upon the most mature reflection, and diligent inquiry, that the

present system of representation is contradictory to the rights of man."

The petition from Sheffield, (which, although not on the table, may justly be considered, in this branch of the argument, as a leading part of the honourable gentleman's support) declares, that "men, and not houses or land, are the objects of representation."

A petition has been presented by the honourable gentleman who spoke last (Mr. Francis), "from sundry inhabitants of London, Westminster, and their vicinity," which deserves peculiar attention. It sets forth, "that, according to the established maxim of all good Governments, every man ought to be, in some measure, his own legislator; and it concludes, by recommending as the only effectual, permanent, and practicable plan of reform, that the right of voting should be restored universally to every man, not incapacitated by nature for want of reason, or by law for the commission of crimes; and that elections should be annual."

It is not immaterial to trace from what quarter this extraordinary petition has proceeded. At the head of the signatures stands the name of *Thomas Hardy*, a name obscure in this country, but not unknown to the National Convention of France. In the month of November, Thomas Hardy, Secretary to the Corresponding Society, on behalf of that Society, subscribed an address to the Convention, which breathed so sincere an affection for the cause of the French Republic, and so warm a zeal for the destruction of the British Government, as to obtain the honour of being circulated throughout all the departments, and all the armies of our enemy. It is remarkable, that for some time past, a public invitation has appeared, in the name of the Corresponding Society, encouraging all persons to sign a petition for a radical reform in the House of Commons. Combining these circumstances, can it be doubted, that this petition is the fabrication of the Corresponding Society? And can any man, who has observed the proceedings of that society, believe, that the deluded persons who compose it will rest satisfied with any temperate reform? or that they would be contented even with the full execution of the extravagant project recommended in their own petition, if they were not persuaded, that the accomplishment of that measure

must lead to consequences of infinitely greater extent than any of the absurdities, however numerous and extensive, with which the very first view of such a system must strike the most superficial observer? The origin and tendency of this petition, and the circumstances by which it is distinguished, must naturally draw the observation of the House to the most numerous, the most active, and the most formidable class of friends to the cause in which the honourable gentleman is engaged: These are the several societies, whose dangerous doctrines have lately attracted so much of the vigilance of Parliament, and have excited such just alarm and indignation in the country. In this House, gentlemen have uniformly contended, that these societies have nothing in view but the innocent object of improving the representation of the people. They are known to the honourable gentleman merely as Parliamentary Reformers; under that disguise they have tendered him their support. But they are known in another character to the people at large, whom they have attempted to corrupt, and to the Magistrates, whose peculiar duty it is to watch over and restrain all disturbers of the public peace: they are known to have openly professed, and assiduously propagated, doctrines tending not only to alienate the affections of His Majesty's subjects, from his person, family, and Government, but to taint every principle, by which the order of civil society is rendered permanent, or even practicable among mankind. They are known to have applauded the example, to have solicited the alliance, and to have received the caresses of the National Convention of France, and to have sought the establishment of a National

- Convention in Great Britain. The zeal, which is universally professed by every one of these societies in the cause of Parliamentary Reform, is merely subsidiary to the great object of introducing their favourite maxims in the most advantageous shape: a change in the system of representation is not the real end of their efforts, but is pursued, as affording the most favourable means of facilitating that total subversion of the monarchy itself, which will ever appear impracticable, even to the most adventurous and misguided zeal, while the Constitution of Parliament shall remain unimpaired.

This last description of the friends to a change in the Government, will undoubtedly acquiesce even in a plan of re-



form, which shall proceed no farther than to extend the right of voting to every man in the kingdom ; but the honourable gentleman cannot hope to appease these societies, even for a moment, by any proposition of a more limited nature. Thus we see, that of all the honourable gentleman's supporters, (excepting the Friends of the People, who have expressed no opinion on this part of the subject) not one is likely to be satisfied with any project of representation less extensive than that of universal suffrage, while many look even beyond that project, and regard it only as the beginning of more effectual mischief, and of more general confusion.

This view of the tempers, characters, and opinions, which the honourable gentleman must consult in the arrangement of his plan of reformation, opens a most alarming prospect of the principles by which the settlement of the new Government is likely to be directed : a closer investigation of the collateral circumstances of the case will only tend to increase our anxiety, and to confirm our apprehensions. At the close of the last session of Parliament, we were encouraged to expect that the honourable gentleman, and his own society, might have had sufficient influence to restrain within some bounds of moderation the extravagance of these wild and mischievous doctrines, or that wherever they might fail in restraining such doctrines, at least they would carefully abstain from all intercourse with those who continued to profess them. The authority of a single, and not a very numerous society, exercised with the utmost sincerity, and even with success in particular instances, must, however, have proved a weak and ineffectual barrier against that rash and arrogant spirit of innovation, from which the principal danger was to be apprehended ; more especially, when the very title and institution of such a society must have perpetually counteracted the efficacy of its precepts, by encouraging general discontent, and by giving a respectable sanction and a specious pretext to every turbulent and seditious disposition in the nation. Weak and ineffectual as such a security would be, we cannot flatter ourselves that we possess even that precarious advantage.

The correspondence of the Friends of the People, as far as is published, (connected with other transactions) affords abundant proof, that, whatever may be their good disposition, they

can neither effectually repress the violence of their followers, nor wholly avoid connections, of which they themselves acknowledge the dangerous tendency. In May 1792, the people of Sheffield address a letter to the Society, requesting its advice, countenance, and protection, and styling it "their leader and director in the great and necessary business of reform." The Society, as might be expected, return an answer fraught with the most wholesome admonitions, and containing the soundest maxims of prudence and discretion. The Society "counsels the people of Sheffield to observe a wariness and caution in all their language; because, as the Society remarks, wary and cautious language is the genuine characteristic of moderate views." The Society warns its pupils of the dangers which attend "ardent indiscretion;" and concludes "by congratulating them and the country on the *intrepid moderation* which is to be expected from them in future."

The fruits of these excellent lessons we have seen in the petition from Sheffield; which, for the indecency of its language, was justly rejected by the House. The doctrines maintained in the body of that petition have been already stated, and must be admitted to bear stronger symptoms of "ardent indiscretion," than of wariness or caution." No part of the petition carries the least appearance of "moderation;" but the petitioners have not wholly disappointed the expectations of their leaders and directors; in their very preamble, they take care to appear sufficiently "intrepid;" for they impeach the title under which the House sits as a branch of the Legislature; and they deny that we are, "in the just sense of the words, the Commons of Great Britain in Parliament assembled."

This is the only instance, as far as can be collected from the printed proceedings of the Friends of the People, in which the influence of their admonitions upon the minds of their followers has been put to the proof; and in this instance it has been found of no weight. Among the advantages held forth to the Public by this Society, at the time of its institution, we were assured, that its utmost efforts would be employed to raise a standard, to which none but moderate men could resort, to discountenance, and to reject all communication with those of a different description; and by these means to counteract the operation of the delusive and destructive principles contained

in the writings of Mr. Paine. Their endeavours to accomplish these objects have been peculiarly unfortunate. In May 1792, the Society for Constitutional Information addressed a letter to the Friends of the People, exhorting them "to cast away all aristocratic reserves, and to contend honestly and fairly for the people's rights in their full extent, if they hoped to grapple successfully with the powerful despotism to which they were opposed."

This language seems to have been properly understood by the honourable gentleman and his friends. In their answer, after several animadversions on the various resolutions and proceedings of the Constitutional Society, particularly on those in which an approbation of the doctrines of Mr. Paine had been expressed, they conclude with these words: "We must beg leave to decline all future intercourse with a society, whose views and objects, as far as we can collect them from the various resolutions and proceedings which have been published, we cannot help regarding as irreconcilable with those real interests, on which you profess to inform and enlighten the people."

From the day on which this answer is dated, to the end of the autumn, the Constitutional Society continued to "inform and enlighten the people, in the same spirit, and with increased assiduity, by diffusing and recommending the doctrines of Mr. Paine, and the example of France." In the month of November, Mr. John Frost and Mr. Joel Barlow, being invested with a diplomatic character by their brethren of this society, presented at the bar of the National Convention of France, that memorable address, which has been so justly reprobated by every loyal subject in this kingdom. In delivering their credentials, these Ambassadors pronounced a speech, in which they expressed a full confidence, "that in a short space of time, congratulations would be received by a National Convention in England." Among many remarkable passages, the address contains a most elevated panegyric on "the glorious victory of the 10th of August;" a day, carefully distinguished from the 2d of September, by those enlightened judgements which have deliberately estimated the comparative merits of those inhuman massacres; a day, however, which differed in no essential circumstance from the 2d of September, excepting

that on the 10th of August, (according to most accounts) more blood was shed, and it was the blood of faithful servants, engaged in the discharge of a lawful duty, and in the defence of the person and family of a lawful Sovereign. On the 10th of August, a limited Monarch was violently deposed from his throne, and (to complete the triumph of that glorious victory) was soon afterwards committed to a prison, which was never opened to him, until the time arrived when he was exposed to the insult of a pretended trial, and led forth, in the face of his subjects, to suffer an ignominious death.

To court the alliance of an usurpation, established on such crimes, to dignify the success of such crimes with the name of a glorious victory, and to express an expectation that a similar usurpation might soon be established in this country, was a conduct and a language which not only indicated "objects and views utterly irreconcilable with the real interests of the people," but an entire disregard of every feeling which adorns the British character. If, therefore, in the month of May, the honourable gentleman and his Society thought it necessary to disclaim all intercourse with the Constitutional Society, it might reasonably be supposed, that the events of the month of November would have rendered all communication between them absolutely impossible.

But in the month of November a new and very different description of Societies arose; those Associations, which, founded on the general sense of present happiness; on the fear of change, which naturally accompanies that sense; on the steady loyalty, and on all the moral and religious duties of a free and virtuous people, have contributed in a great measure to avert the dangers, which at that time threatened the very being of the constitution in Church and State. One great object of these Associations was to bring to justice, by regular process of law, and by the verdict of a jury, the authors and propagators of seditious doctrines, and particularly to check the circulation of Mr. Paine's libels, and to counteract their mischievous effects. In its principle, this object seemed to accord precisely with the professions of the Friends of the People: yet strange as it may appear, at this critical juncture, the Friends of the People actually coalesced with many leading characters in the Constitutional Society, under the new title of "Friends to the liberty

of the Press," for the avowed purpose of censuring these laudable associations, and of defeating the efforts of their honest and well-directed zeal. It is not meant to insinuate that the honourable gentleman and his friends, by this junction, adopted the general objects and views of those persons, whom they had before so wisely disclaimed; but it cannot be denied, that they consented to admit those persons to act in common with them in pursuing the particular objects of the new institution; and above all, in defeating the measures of the associations against republicans and levellers. Mischievous as the effects of such an union must be, even if they could be limited to the professed objects of this new society, the evil does not stop there:

Any degree of credit, which the persons described may be supposed to derive from the countenance of the honourable gentleman in this joint pursuit, will be turned by them to their own separate purposes, and will be applied to promote their own boundless projects of innovation and disorder. If, under the shelter of the honourable gentleman's character, they should grow into authority and strength, they may in the end compel him to lend his name and his talents to measures, not less fatal to his own interests, than to those of his country. While he avows it to be his fixed intention (even in the extreme case which he has stated) to change the existing Government of the country, his endeavours to disengage himself from any enemy to that Government of any description, must be, as they have been, vain and fruitless.

All the enemies of the British Constitution will cling to him, in spite of his efforts to shake them off, until their hatred of the present establishment shall have been completely satiated in the ruin of the state, in the misery, and perhaps in the blood, of all ranks and orders of the people—

*"Non missura cutem nisi plena cruoris hirudo."*

Lord Mornington contended, from all these considerations, that the plan of universal suffrage, connected with the principles of the French revolution, was that which was most likely to be substituted in place of the present system of representation; before he spoke of the practical effects of such a plan, he warned the House, that this notion of extending the elective franchise to every male adult in the kingdom, was by no means the ex-

treme limit of the speculative principle of right, in which it had originated; on the same principle is founded a theory infinitely more extensive, and at least equally practicable:

This curious theory is to be found in a treatise, entitled, "The Social Contract," written by J. J. Rousseau; a work no otherwise worthy of attention, than that it is known to be the fountain head from which the principles of the French revolution have been derived.

The original principle of right on which the system of universal suffrage rests, is usually expressed in this proposition, "No man ought to be bound by laws to which he has not consented, either in person, or by his representative."

The author of the Social Contract maintains, that the National will or Sovereignty of the people cannot be represented at all; that every law which has not been ratified by the people *in person*, is null and void in its nature; that the people of England are never in a state of freedom, excepting when they are in the very act of exercising the elective franchise; and that they become slaves the moment a general election is concluded; and finally, that every Government by representation is, in its nature, a tyranny, however extended the right of suffrage may be, because the national will, or, in other words, the vote of every individual, is not directly consulted in every act of legislation.

Having established these fundamental maxims of his theory, the author meets with a practical difficulty of some importance: a people consisting entirely of legislators, would not find much leisure for any other affairs than those of the State. Such a nation must, in the first instance, renounce all the arts and improvements of civilized society; it must renounce every pursuit of commerce, of trade, and of manufacture, together with the whole system of political economy in all its branches, by means of which, the modern states of the world have been enabled to rise to public opulence and prosperity, and to augment and diffuse all the conveniences of private life. But all these are deemed by the author to be sacrifices of no moment;—poverty is a republican virtue—and in the opinion of those who know how to form a just estimate of things, the gain would be considerable to every individual, who should exchange his industry, his skill, his affluence, and his ease for a portion

of the national sovereignty, the exercise of which, however barren and unprofitable in all other respects, is always grateful to the ruling passions of vanity and ambition. But these are not the only obstacles to the institution of this incomparable republic. It is evident, that where the whole people were called from hour to hour to the senate, to discharge the dignified duties of legislation and Government, their domestic concerns, and the ordinary labours of agriculture, must also stand still: the ground could not be cultivated; food could not be provided; and these proud and generous republicans, in a state of perfect freedom, would want the common necessities of life, and be exposed to all the calamities of indigence and famine.

The author of the Social Contract fairly confesses, that he despairs of seeing these obstacles surmounted by the degenerate citizens of the modern world, in whose minds, (he says) the genuine ardor of liberty has been utterly extinguished by the busy spirit of commerce, by the desire of gain, and by the love of convenience. But in order to shew that his plan is perfectly practicable among wise and virtuous men, he recommends, with the utmost zeal, the admirable expedient, by which the ancient republics of Greece contrived to reconcile the full enjoyment of natural rights, with the possibility of natural existence. The people of Greece, he says, transacted all public business in person; they were all assembled from morning till night in the public forum; they were not greedy of gain; their sole occupation was the care of their liberty; and all the menial offices of their Houses, and all the labours of the field, were performed for them by slaves.

Here then (Lord Mornington said) is the only practicable arrangement, by means of which the Corresponding Society can be gratified with the sight of that "good Government whose established maxim it is, that every man should be his own legislator." Here the petitioners from Derby may see the rights of man carried to the extreme point of perfection; and both may learn, that according to their own principles, strictly and fairly pursued, civil slavery is the only solid basis of true political liberty.

This is the natural course of all those who attempt to raise Constitutions of Government on visionary speculations of ab-

abstract and indefinite right. They commence their career with some specious and plausible theory in view, but in endeavouring to pursue it, they are continually driven from difficulties in practice to contradictions in principle, and they find no resting place, until they have reached some monstrous and insurmountable absurdity : from thence they are compelled to tread back their steps, and to seek the real substance of liberty, where alone it is to be found, within the just limits of expediency and experience.

However extravagant and ridiculous the passage quoted from the Social Contract may appear to the House ; for such speculations on the nature of Government, connected as they necessarily are with the most profligate maxims of immorality and irreligion, J. J. Rousseau has been canonized by the people of France, and is now one of the few saints remaining on their calendar. Their admiration of his works, and their reverence for his memory, have not been inactive : they have imitated with the utmost success his systematic dishonesty and his zealous impiety ; and they have neither been less earnest, nor less successful in establishing his principles of political anarchy on the most permanent foundations, and in securing their full operation by the most effectual provisions.

They began by extending the basis of their new system of representation upon abstract principles of right : their next step was the admission of every male adult to the right of voting in some stage of the election of national deputies ; and they are now advancing rapidly to the final completion of these doctrines, by submitting to the direct interference of every individual citizen in every act of legislation and Government.

In endeavouring, therefore, to form some notion of the practical effects of the plan of universal representation, it is impossible not to advert to the example of France ; because in France that plan has been reduced to practice, and an experiment actually has been made of its consequences ; and because the French Government, and their English abettors, have invariably concurred in an anxious wish for our adoption of that plan, as leading inevitably and speedily to the same consequences in Great Britain. Under such circumstances, it is in vain that the honourable gentleman who has just sat down,



has laboured to exclude from this debate any reference to the situation and conduct of France, and has rejected the whole of that subject as a stale and forgotten topic: although questions of great magnitude and importance have engaged the attention of the House since the affairs of France have been the immediate subject of deliberation, the honourable gentleman will find, that a topic, leading to such serious reflections, and furnishing such useful lessons, has not been so soon effaced from the memory of this House, or of the country: the business of this day must revive every passage of those transactions with the most direct and forcible application to the present question. It will be pressed home to the recollection and to the feeling of every British subject, that a change in the existing Government (the avowed object of this motion) was the great revolutionary machine, by the working of which, our enemies trusted to have reduced this happy people to the level of their own miserable condition.

*“ Commemoratio illius sceleris intermissa est, non memoria deleta, dum genus hominum, cum populi Romani nomen exstabit, (quod quidem erit, si per illos licuerit, sempiternum) illa pestifera intercessio nominabitur.”*

While the independent rights of nations, while the order of civil society shall be held dear and valuable among mankind; while the genius and spirit of the British constitution shall endure, (and long will they endure, unless destroyed by some rash and vain project of pretended reformation) that pernicious attempt of a foreign Power to interfere between the Government and the People, and, by that interference, to subvert at one blow all the bulwarks of our domestic happiness, and of our external strength, shall never be forgotten: it shall be remembered with the just sense of abhorrence and indignation which must ever attend the memory of that execrable design, and with the gratitude due to the united wisdom and loyalty of the British people, by which that execrable design was disappointed of its effects: recollecting as well the nature of our recent danger, as the means of our happy deliverance, we shall best repay our debt of gratitude to the people, by endeavouring to preserve entire that Government, which is the deserved object of their affection, and by cultivating in their minds a rational estimation of its excellence and value. With this view,

Lord Mornington said, he had already enumerated the practical advantages of our present situation; with the same view, he meant to contrast those advantages with the practical effects of that plan of representation, which, he had shewn, we must expect, if we consented to a change; and he hoped to prove the miserable error of those who imagine, that by infusing a greater portion of the spirit of democracy into the frame of Parliament, they are likely to give additional security to the good, of which they cannot deny the existence, or to provide against any one of the evils on which they ground their complaints. What has been the operation of the system of universal suffrage in France, upon the security of life, of liberty, and of property?

It seems to be the only object of their criminal laws, to afflict and to destroy every individual who can, by any means, be brought within their reach. Indefinite and constructive crimes, summary modes of trial, arbitrary convictions, and disproportioned punishments, are the leading features of that sanguinary code: at an early period of the revolution, the very principle of mercy was formally extinguished in their judicial proceedings: in place of the gracious mercy of the Crown, the populace have assumed the exercise of a new species of appellate jurisdiction, in cases of life and death: if, by accident, an unpopular criminal has the fortune to escape the severity of the law, the proceeding is reversed by the mob; the judges are compelled to return to the seat of judgement, and, under the terrors of assassination, to arraign a second time, for the same crime, the person who has been already legally acquitted by the judgement of the same tribunal. For it is now a received and applauded maxim of that democratic Government, "that the vengeance of the people ought to supply the weakness of the penal laws."

In short, no tyranny was ever suffered by mankind, in which so little account was taken of the effusion of human blood.

That which is called liberty, by a gross abuse of the term, is nothing better than a state of general disorder and confusion, accompanied with the most frequent and outrageous violations of personal freedom. It is, indeed, true, that the restraints of law and of authority have no longer any force,

and that no obligation remains to bind men to the discharge of any duty, moral, civil, or religious: but as every individual is equally free from these irksome restraints and duties, it is become the interest of every man to seize the first opportunity of violating the rights of his neighbour, and no man can possess any kind of security for his own.

The whole revolution was originally founded on the ruins of the right of property. Property is therefore rejected with scorn and indignation from the Constitution of the Legislature. So far from being respected as a sacred right, it is publicly held up to the detestation of mankind, as an odious usurpation on the rights of nature. All sects and factions seem to have agreed, that it should be treated by the Legislature, by all the constituted authorities of the republic, and by the whole body of the people, as a common prey, and a common object of persecution.

The natural result of these disorders has been to realize almost all the inconveniences of the imaginary republic of J. J. Rousseau; to suspend trade and industry, to render the annual supply of productive labour inadequate to the sustenance of the people, and to subject them to the most urgent distress, from the scarcity of provisions, and of other articles of ordinary consumption.

The collective opulence of the state is utterly ruined, and with it, all the permanent sources of public strength: but in the first moments of this convulsion, while the pressure of poverty and famine renders war the necessary policy of the Government, the same cause furnishes the means of carrying on hostilities; armies spring from the very calamities of the country; and the state is at once enabled and compelled to send forth innumerable multitudes to the war, who can find neither employment nor bread at home. Here the House may observe whether the new doctrines of Government tend to prevent or alleviate the great evils of war, debt, and taxes. It has been said in this House, that "war is the passion of States;" it might have been added, that it is more especially the ruling passion of those states, in whose constitution the spirit of democracy is predominant; in all times, such states have been most infected with the vanity of conquest, and most liable to the impulse of irregular ambition:

But under the principles of universal representation, the Government of France has far surpassed every example of those inordinate passions, which appears in history.

Without any other necessity than that which arose from their own internal situation, and which must be attributed to the vice of their new Constitution, the French have involved all Europe in a general war. They have deduced the pretences of that war by a most singular train of reasoning from the principles of their own Government.

Their first proposition was, that the sovereignty of every nation resided essentially in the people at large of that nation.— From thence they drew a most extraordinary inference, that, for the present, the people of France were the only legitimate representatives of all the nations in the world; and therefore, during their temporary exercise of the assumed sovereignty of the Universe, every Government founded on principles not exactly conformable to those of the French Republic, must be treated by France as an usurpation and a tyranny, and the people who submitted to it must be considered as rebels and traitors. On these grounds, they declared war against all the Governments on earth, in the name and on the behalf of all mankind; and they published their resolution of reducing to a state of perfect freedom, by force of arms, every refractory people, who should dare to cherish a sentiment of gratitude, veneration, or affection for their ancient institutions, or of allegiance for their lawful Prince.

The pride, the honour, and the interest of every State in Europe were thus wantonly challenged to defend their independent rights of internal sovereignty; and the consequence has been, that France is now attacked on all sides by almost every Power, either naval or military, in Europe.

This instance proves, that the admission of every male adult in the realm to a voice in the election of the Legislature, is not a certain and infallible mode of establishing a pacific system of foreign politics.

With respect to debt, the enormous expence of this improvident and unjustifiable war exceeds all bounds of calculation; it has seldom fallen short of ten millions sterling in each month since the commencement of hostilities, and it

must increase with the increasing force of the enemy, and particularly since the accession of the maritime powers. In addition to this ruinous source of expence, the augmentation of the ordinary establishments, the mismanagement of the revenues, and the unbounded peculation practised in every department of the Administration, have caused such a waste of public money, as surpasses infinitely the effects of the united extravagance and corruption of all the most prodigal Monarchs that ever sat on the throne of France, and of all the most profligate Ministers by whom those Monarchs were governed or deceived.

With respect to taxes, it must be admitted, that the French Government has publicly abjured all taxes whatever, together with loans, and every collateral branch of the system of finance. But what has been substituted in their place? It has been declared, that the only resources fit to sustain the dignity of a free and sovereign people, are domestic confiscation, and foreign plunder: a scheme of revenue calculated to perpetuate discord and misery at home, and war abroad. The legitimate and regular sources of public revenue are not unconnected with the ease and affluence of the people; they are sought in the superabundant profits of labour, of skill, and of enterprize, or in the superfluities of luxury and wealth. But the new resources are drawn from the exile and ruin of all the great landed proprietors, whose property is confiscated, because they will not expose their lives, by returning to a country, which has been rendered uninhabitable to all moderate and honest men. This is the reformed plan of finance which we are to expect, under the new Government in Great Britain. Its operation is plain and simple; taxes will no longer be levied according to those intricate and complicated regulations, which are now so embarrassing both to those who collect, and to those who pay. The land itself will be directly confiscated, and the landed interest will be utterly extirpated. The tree itself will be cut down, as the most easy and expeditious way of gathering its fruit.

Such are the practical effects of universal representation in France. To ascribe all these effects either to the peculiar character of that people, or to their unfitness to receive the blessings of liberty, from their long habits of slavery, would

be to deny to ourselves the use of a most instructive and salutary lesson. Making a reasonable allowance for all the peculiar circumstances of their case, it will be found, that the severest sufferings and the most atrocious crimes of that unfortunate people, are the genuine and legitimate offspring of the erroneous and fatal principles of Government, on which they have founded their reformed Constitution. The malignancy of those principles is so active and powerful, that no nation on earth could long withstand their operation: and it would be the greatest degree of arrogance to expect, that even the people of Great Britain could maintain their character of wisdom, justice, or humanity, under a total relaxation of those restraints of order, which the nature of human infirmity renders no less essential to the preservation of every moral quality, than of every civil advantage.

The result of all these considerations is, That the benefits actually enjoyed by the nation are invaluable; that no proof either has been, or can be, established of their being unconnected with the present Constitution of Parliament; and that there is the strongest presumption of an intimate connection subsisting between them; That in comparison with these benefits, the grievances alledged are trivial and insignificant; and that they can in no degree be imputed to the alledged defects in the representation; and above all, That the Constitution likely to be given to us in exchange for what we now possess, so far from securing any one practical good, or alleviating any alledged or practical evil, would utterly subvert every foundation of our present happiness and prosperity; would aggravate every evil of which any man now can complain; and introduce many others of infinitely greater magnitude, and of far more mischievous consequences.

For these reasons, the public good requires, that no alteration should be made in the existing frame of Parliament.

Mr. WHITBREAD said—Sir, the noble Lord who has just sat down, has pronounced a very warm panegyric on the British constitution; he has very ably argued the three questions which he has submitted to the consideration of the House; but he has not treated with great fairness some of the statements made by my honourable friend; and I feel myself under the necessity of disputing some of the conclusions to which he has

come, upon the grounds which himself has advanced. Whatever statement of consequences my honourable friend may have made, as involved in the discussion of the question before you, the same consequences were equally involved at every time when the proposition has been made. There is no novelty in the matter; and if a change of Government is now to ensue from a reform of the representation, a change of Government would equally have been the result of success at every one of the numerous periods when it has been agitated in this House. But the noble Lord has taken some pains to confound things which I hold to be perfectly distinct; namely, the *Government* and the *Constitution* of the country. To preserve, and not to subvert, is our aim; and with that view we wish to reform a part of the Administration of the Constitution. This only can be meant by my honourable friend, when he candidly states to you, that if he succeeds in persuading the House to adopt his motion, it leads to a change of the Government. But, Sir, I would put it to the noble Lord, and to all those gentlemen who have spoken on the same side of the question, and who come under the description given by an honourable Member last night, of those "to whom no time nor mode would reconcile the question of parliamentary reform," whether it is not their bounden duty to enter the inquiry proposed by my honourable friend? I take it for granted they will not deny the existence of a very numerous body, discontented with the present state of the representation. Would it not be well to give satisfaction to those persons? If we go into a Committee, and find, on inquiry, that the complaints stated in the petitions are unfounded, there will be an end of the business. But if the grievances are found to be real, then a remedy ought instantly to be applied. It is a question which ought to be at rest; and it can only be so after a solemn and deliberate investigation of its merits. I would put it to my right honourable friend, (Mr. Windham) who, in the course of last night's debate, considered the mover of this proposition as a mere point in a vast system which pervades all Europe; and the motion as only a dribble from a great source of anarchy and confusion, assuming parliamentary reform as a pretext, but the real object of which is to destroy all established constitution; and who has said, that these opinions, if fairly and early met, are capable of refutation; nay, that he would

consent to be called "the baby of a girl," if he did not destroy and crush, wherever he could have an opportunity of meeting them ; but that if suffered to grow up, they would become so formidable, as not to be conquered by any human ability.— Would it not, I say, be consistent with the manliness of conduct, with the talents of my right honourable friend, with the sense of the danger he professes of suffering these opinions to go uncontroverted, to put himself in a situation where he might have an opportunity of fully discussing them ; of confuting and suppressing that which he holds to be destructive to the well being of society ? Sir, upon his own arguments, he ought to vote with us for going into a Committee. But, Sir, is it a fact, that my honourable friend has proposed to you any novel or speculative opinions ? Directly the reverse. He has placed upon your table a petition, complaining of grievances, of the existence of which the petitioners deem themselves competent judges. It is proposed to this House to go into an investigation of their complaints, and to administer such relief as to their wisdom shall seem meet. The whole is constitutionally before you. But the petition is somewhat unusual, from the mode in which it is drawn. It goes into a detail of facts, some of which are directly in the teeth of certain resolutions entered on your journals. The resolution and petition cannot both remain. The petition states, that the undersigned are ready to prove that *Peers have a positive nomination of Members to serve in this House*. We annually resolve, "*That it is a high infringement upon the liberties and privileges of the Commons of Great Britain, for any Lord of Parliament to concern himself in the election of Members to serve in the Commons House of Parliament.*" What is the course then to be pursued ? You must either rescind your resolution, or expunge the petition from your journals. You cannot act with dignity and honour in any other way. The allegations in the petition are either true, or they are not. If true, a remedy ought to be sought for and applied. If they are not true, the persons who have signed that petition are guilty of a gross libel, and deserve punishment. Extricate yourselves from the dilemma !!

In contradiction to the assertion so repeatedly made by my right honourable friend, but which the power of his abilities will not be able to maintain, I take upon me to say, that me-



taphysical opinions have never, in any instance, produced a revolution. The engine with which Providence has thought fit to operate these mighty events, has been of a different description; *the feelings of the governed, rendered desperate by the grinding oppression of their governors*; and there is no saying more strictly true than this, that "Times make men, but men never make the times." What brought about that great event the reformation? Not the theories or speculations of philosophers, but the impolitic avarice and injustice of the Church of Rome. What brought about the catastrophe of Charles the First?—what the revolution in this country?—The oppressions of the executive Government. To the same cause America owes her freedom. Lastly, what brought about the revolution in France? The misery of the people; the pride, injustice, avarice, and cruelty of the Court. The great characters who have acted in these different scenes, have had but little power to produce them. Luther, Cromwell, or Washington, the illustrious persons who appeared at the æra of the English revolution, or the wild visionaries of France, could never have persuaded the people to rise, unassisted by their own miseries and the usurpations of power. When the feelings of men are roused by injury, then they attempt innovation; then the doctrines of enthusiasts find ready access to their minds. The people are always long suffering; and unless they are most grossly abused, no apprehensions are to be entertained from any speculative opinion upon Government. But, Sir, in defending my honourable friend and myself from the imputation of being theoretical innovators, I must take notice of one theorist who has appeared in the course of this debate; I mean the honourable gentleman (Mr. Jenkinson) who immediately followed my honourable friend last night. He gave us an account of a House of Commons formed after his own imagination, in which all the different interests of the kingdom would be indeed most accurately and nicely balanced; but the texture was such as never did, nor ever would exist. One Member more than he has appropriated to either of the classes of army, navy, commercial, legal or landed interest, would destroy the whole of his chimerical system. One other notable expedient the honourable gentleman has fallen upon—that of settling who the *elected* should be, before he went in search of the *electors*. With all

deference, I should conceive that, having nominated the representatives, it would be a matter of small importance who should perform the farce of returning them. That honourable gentleman has also expressed his predilection for what is usually called the rotten part of the constitution, (the small boroughs) because they furnish us with Members of distinguished ability, (such as the present Chancellor of the Exchequer) who would not, from the expence, have had it in their power to contest any popular election. The observation is not new; but the answer to it is plain; if elections were conducted in the manner in which they ought to be, the representation would be accessible at all places to persons of moderate fortune; whereas it is now impossible, usually speaking, for the younger branches of families to stand contested elections; and the people are deprived of men of ability for their representatives. But I will take a definition of what a House of Commons ought to be, from a Tory writer, (Dean Swift), in opposition to the House of Commons described to us by the honourable gentleman. Speaking of the constitution of this country, that writer says, "The other part of the Parliament consists of an Assembly, called the House of Commons, who are all principal gentlemen, freely picked and culled out by the people themselves for their great abilities and love of their country, to represent the wisdom of the whole nation." This is the House of Commons I wish to see; this is the choice I wish to be restored to the people. The honourable gentleman has also said, that many boroughs have been *thrown open* since the passing of Mr. Grenville's act. Have the people been advantaged by the decisions under that act? I believe that nine-tenths of the Committees employed in discussing controverted rights of elections, have not settled any thing that can tend to the good of the people; that it is wholly out of their power. They may, indeed, have decided whether such a Lord, or such a great Commoner, have got the representation of a certain borough into their hands, or whether it is to be divided between them, and each to send a Member to this House. Or by the right of voting being enlarged, it may become a matter of doubt whether the interests of the proprietor may not be endangered by the opposition of some wealthy Nabob.—[A cry of "Order!"]—Sir, am I too free in what I am saying? Am I acting against your orders?

It may be so ; but if these things should meet your ear upon the very steps of this House, as you descend from the chair, can you contradict them? Sir, you cannot. *I do know*, and the petitioners who have signed the petition now upon your table *are ready to prove*, that many Members are nominated by individuals to serve in this House. Refute the charge ! We cannot. Apply the remedy ! We will not consent to that. Then at least tell the people of England, We have investigated your statement, and we find it to be true ; but we can prove to you that the country is as well governed, and that things go on as well now, as they would do if the representation were reformed.

The noble Lord stated as an instance of the vigour of the constitution, as now administered, in the vast increase of our commerce within the period since the American war. Of the influence of the Crown upon this House, by means of the revenue raised upon that commerce, we complain, as destructive to the constitution. He has also asked, with a degree of triumph, at what time did the grievance of the national debt originate ? Sir, the time of its origin matters not : if, when the constitution was planted at the Revolution, was also planted *that*, which in time was to operate its destruction, we are not to consecrate the evil from a superstitious regard to the moment of its birth ; but we are to take precautions to prevent its strangling the fit and legitimate object of our veneration.

Some notice has been taken (by way of discrediting the petitions) of the names by which they are signed ; and the name of Mr. Hardy, who, by the way, has not subscribed the petition more immediately in question, has been particularly mentioned, with an allusion to his conduct during the last summer. This I take to be wholly unparliamentary and irregular. I do not stand up in defence of the propriety of Mr. Hardy's conduct ; but if he has in any manner offended against the laws of his country, His Majesty's servants are responsible for not having put the laws in execution against him. But whatever may have been his conduct out of this House, he appears before us in a manner prescribed and authorised by the constitution ; complaining of grievances ; and to his complaint we are as much bound to pay attention as to the complaint of any other of His Majesty's subjects whatever.

Insinuations have been thrown out against the Association of the *Friends of the People*, to which I have the honour to belong. All I shall say upon that subject is, that we formed ourselves into a society, on principles truly constitutional; that we in no one instance have deviated from the precise object of our institution; that we have been led astray by no change of circumstances; that we have formed no connections incompatible with our declarations; and that we have proceeded to the end we have in view with "intrepid moderation." This, Sir, is an expression contained in one of our publications which the noble Lord has attempted to ridicule; but are intrepidity and moderation, in fact, incongruous? The reverse is, I believe, the case; and that if ever we meet with true intrepidity of character, we shall find it connected with moderation. I trust and hope the people of this country will always be moderate in demanding their rights; at the same time, I should think our national character much degenerated, if they were not assisted with intrepidity.

The noble Lord has accused us of coalescing with persons, with whom we had formerly declared we would hold no intercourse, their views being incompatible with those we entertained; I mean the Members of the Constitutional Society. The short answer to that accusation is, that we have formed no such coalition. But I understand the society for the preservation of the liberty of the press to be pointed at—a society totally unconnected with the *Friends of the People*. Sir, at a time when associations were forming in every part of the kingdom, upon what I shall always deem the most unconstitutional principle, that of strengthening the hands of the executive Power; (for if the law has not made the hand of power strong enough, by the law it ought to be strengthened, and force can never be given to it in any other way, but by a surrender of some of the privileges of the people) the operation of these bodies appeared so pernicious, that it was thought expedient to associate to support the liberty of the press, which seemed to be principally in danger; and I have the pleasure to think that in stemming this tide we have not been wholly unsuccessful. To these meetings some of the persons alluded to certainly came; but had the noble Lord received a faithful report of our proceedings, he would have found, that no coalition had taken place

between those persons and the Friends of the People; that, on the contrary, if any disposition has been manifested to deviate from the just limit of the Constitution, it has been constantly and successfully resisted by my honourable friends around me.

I cannot but consider it as a bad omen, that the appellation by which the society to which I belong is distinguished, "The Friends of the People," should, when mentioned in this House, be always received with a sneer. It appears, that gentlemen consider it as a term of reproach. Certainly, no reproach ought to attach upon the term; and I trust that as long as I have an existence as a Member of this House, and during the whole of my natural existence, I shall always be found a friend of the people, and a *defender* of their just and constitutional rights.

I shall beg leave to touch upon one other topic which has been strongly insisted upon, in the course of this debate, that the House of Commons ought to have an interest distinct from that of their constituents; and as a corrective to this monstrous doctrine, it is said, that whenever the people speak, their voice is heard and attended to. Sir, I maintain that there ought to be an identity of interest between the people and their representatives; nor can I conceive any thing more destructive to the true principles of the Constitution, than those sudden impulses which are at times given to the deliberations of this House by the expression of the popular will. We are thus not unfrequently betrayed into situations inconsistent with our dignity; we are thus driven to resolutions directly at variance with each other. I will instance to you the case of the two last years. In 1791, this House came to a vote, virtually declaring, that it was essential to the balance of Europe that *Oczakow* should remain in the hands of the Turks. In 1792, they voted the converse of that proposition. This could never have happened, were the House of Commons properly elected, and for short periods. Another bad effect arising from this momentary attention to the wish of the people, is, that when the people relax in their efforts, the House becomes supine. We have an example of this in the case of the slave trade. What produced the majority upon that subject in the last year? The voice of the people. Why has the question failed in this

session? Because the minds of the people have been diverted from the question, and they have not persisted in their demands. The House of Commons was intended to be elected by, and to act for, the people, and not to be influenced by every popular gust, which might sanction an imputation of its Members not being in the habitual discharge of their duty.

An honourable Baronet over against me, (Sir William Young) has said that this country has become so corrupt, through her commerce, that corruption is necessary to its Government. To this I will reply, in the words of a celebrated protest, usually ascribed to a right honourable Member of this House, (Mr. Burke), "If it is meant to insinuate that corruption is necessary to Government, I shall leave that principle to confute itself by its own apparent iniquity." If it be admitted that corruption is one of the springs of Government, if we are come to this most deplorable pass, that corruption is so interwoven with every part of the community of this country, that nothing proceeds but by its influence, we are much nearer to some awful crisis than I am willing to imagine. On this system, things may proceed for a time, but they will come to a sudden and tremendous termination.

And now, Sir, with permission of the House, I will say a few words upon the time in which this motion is brought before you. Any objection upon that score, unless forewarned, I should not have expected from the right honourable gentleman over against me (Mr. Pitt); for he has proposed the subject of parliamentary reform to this House under almost every variety of circumstance. But the time at which my honourable friend gave notice of his motion in the last year, did not appear to the Chancellor of the Exchequer to be fitting for the agitation of the question, although we were then at peace, and had a prospect of its continuance for fifteen years, because there existed a spirit of sedition and discontent in the country. How did the event answer to that assertion? The people, when called upon from one end of the nation to the other, expressed their loyalty, so as to disprove in the fullest manner every aspersion that had been thrown upon them by Government. The objection was not valid on that ground; but now we are actually at war, and therefore the time is improper. My opinion upon the subject of time is shortly this—that from the fluctu-

ation of human events, especially in this eventful æra, that it would be almost impossible to begin and perfect a work of such magnitude, under circumstances precisely similar : beginning in peace, we might end in war ; and as we now propose to you to consider it in time of war, I trust, even in case of its speedy termination, that it would be concluded in peace.

No time can be improper for doing what is right ; but *that of all others will appear to me to be the best, in which the object is the most likely to be obtained.* But let us consider the argument of time, with a reference to the consistency of our opponents. A right honourable gentleman (Mr. Dundas,) on whose account the anti-reformers have, I hope, held a jubilee, because there is more joy in Heaven over one that repents than over ninety just, has thought proper to accede in this session to a Committee to inquire into the government of the Royal burghs in Scotland, which had a view certainly to the representation of that country. In Ireland, which, it will not be improper to say, is very materially influenced by English Councils, the Parliament have thought proper to take the state of their representation into consideration. In Scotland and Ireland, then, there is no impropriety in the agitation of this question at this particular crisis. In England there is. Whence arises this difference ? Sir, I will tell you. The people of Scotland had been tampered with rather too long, and the Secretary of State, in his last visit to that country, may have seen the necessity of attending to their complaints. *The people of Ireland were determined to be listened to.* In England, the people are not sufficiently roused upon the subject to appear formidable to those in power. Whenever they are, whether it be peace or war, the time will and must appear proper. It is the part of wise men, however, to concede in treason. I have no objection to the example of France being pressed upon us, to prevent our running into the wild excesses which have disgraced that country.

But let us take the whole question into our consideration at once ; and when we behold with horror and dismay the atrocious acts which have been perpetrated under the name of liberty, let us not forget the preceding despotism which generated those crimes. Let us learn from the example of the old Government in France, to give way to the people in time : to

grant them their rights. Such are the only means to save ourselves from the horrors of anarchy. It has been the infatuation of all governments, from the beginning of the world, to turn a deaf ear to the complaints of the people ; to oppress them till they become desperate : when they are roused to a furious sense of their wrongs, then you are willing to make unlimited concessions ; but it is *then* too late ; the bonds of society are dissolved, and you must take the consequences of your own obstinacy and blindness. It is *yet*, I trust, time to give health and vigour to our Constitution ; but a much longer delay may be productive of consequences upon which I tremble to reflect. *Therefore* it is I would earnestly entreat this House to go into an investigation of the facts contained in the petition which has been presented by my honourable friend, and to apply a remedy to the grievances of which it complains.

I confess, however, that I can be but little anxious about the fate of the question immediately before you, because, from the experience which I have of the influence possessed by the Chancellor of the Exchequer on all the deliberations of this House, and from a knowledge of his opposition, any hope of success is entirely out of the question. [*A general cry of Order!*] Sir, said Mr. Whitbread, what I have said may here be disorderly ; but without your doors *it is true* ; and from my knowledge of that truth, I repeat that I entertain little anxiety on the fate of the present question : but I believe in the prediction of the late Earl of Chatham, who, in a prophetic spirit, has declared, that before the close of this century, an amendment would be made in the representation. Whether we will or not, the thing will be done ; and it would be policy, as well as justice, to anticipate the demands of the people. Neither my honourable friend, who has made you this motion, nor I, nor any of those gentlemen with whom I have the honour to act, have any intention to infringe on the prerogatives of the Crown, or to encroach on the aristocratical part of the Constitution ; we wish only to restore to the democracy that power which it ought to possess.

To conclude all I have to say on the subject, in the words of a celebrated protest, to which I before made some allusion, " That this motion is intended to diminish the constitutional power of the Crown, we deny. The constitutional power of



the Crown we are no less solicitous to preserve, than we are to diminish its unconstitutional influence."

"It has been argued, that this is not a proper time for reformation, when all the attention of the kingdom should be employed upon the war, as the great and only object in the present time of distress; to which we beg leave to insist, that the present is, for that very reason, the properest time, because nothing is so essential to the conduct and prosecution of the war, as the frugal management of that supply by which only it can be carried on with any prospect of success; and from the history of this, as well as other countries, times of necessity have been always times of reform."

Mr. ANSTRUTHER said, he did not know whether to condemn most, the manner in which the subject was brought forward, the time of its introduction, or the subject matter itself. With respect to the manner of its being brought forward, he thought it improper to introduce such a general motion as that of referring the petition to a Committee, instead of stating a specific plan upon which men might judge for themselves; the consequence of the present mode would be that of increasing the general expectation and agitation, by leaving it open to every man to suggest that plan which was the most agreeable to his own imagination. The time appeared to be equally ill chosen, when the country was engaged in a war, and after attempts had been made to agitate the minds of men by the propagation of principles incompatible with the existence of any Government. And, lastly, with respect to the subject of the petition itself, he thought it equally indefensible; the object of it, as far as he was able to comprehend it, was to obtain a right of universal representation, an idea so wild and extravagant, that he was astonished how gentlemen could seriously propose it. He admitted that no gentleman in that House had advanced such an opinion; but they talked of making one uniform state of representation throughout the kingdom, and of restoring it to its original constitutioned basis. He wished gentlemen would point out the period of the English history, when the representation of the people was according to their opinion in its purity. The state of representation had remained nearly the same ever since the revolution; and bad as it was represented to be, it was the envy of Europe;

and under it, notwithstanding the many expensive and bloody wars in which we had been engaged, this country had risen to a state of wealth and prosperity unknown to any country not enjoying the benefits of such a Constitution. In England the personal liberty and security of property were carefully provided for, and that was what the advocates for reform pretended to have in view ; but that House would take care how they sacrificed the solid blessings which we enjoy for the precarious possibility of greater advantages by a change.

Mr. Chancellor PITT said, " I am anxious to deliver my opinion before, from the lateness of the hour, and the length to which the discussion has been carried, the attention of the House shall be exhausted. In the present state of the debate, it is almost impossible for me to speak on the subject without recurring to points which have already been mentioned. I feel more particularly anxious, on account of the share which I have had in agitating the question of a Parliamentary Reform, to state fully and distinctly the reasons which induce me to resist the motion which is now brought forward. The question at the present time involves the fate of all those who have hitherto been so long protected by the British Constitution ; nay, it involves the fundamental principles of every society and form of Government. But first I shall beg leave to remind the House of the grounds upon which I opposed the notice of a Parliamentary Reform, when brought forward last session. The opinion which I then entertained is confirmed by what has since occurred, and has even received strength from the petition now on the table, and the motion before the House. I then considered the agitation of the question as capable of producing much mischief, and likely to be attended with no good. Such was the conclusion which I formed from experience. I had myself, on different occasions, proposed a reform in situations which seemed favourable to my object, and supported by persons of the highest respectability, and had even then failed. Several gentlemen, from a dread of the consequences of innovation, and from a doubt whether the advantage to be obtained was such as would compensate for the risk incurred, opposed my views. If such arguments had formerly succeeded, how much force had they last year acquired from the dreadful lesson afforded in the example of a neigh-

bouring kingdom! The scene of horrors which it then presented exceeded imagination, far short, as it stood, of what has since occurred. I perceived forming within the bosom of the country a small, but not contemptible, party, who aspired at something more than a moderate reform, whose object indeed was nothing less than to introduce here those French principles which, from their consequences, I could not regard but with horror. I saw therefore, that while none of that good of which a moderate reform might be productive was to be obtained, much danger might be incurred, and an opening afforded to wicked persons to subvert that very Constitution which we were desirous to improve, only in order that we might preserve. Or though the attempt to reform might not be attended with the total subversion of the Constitution, yet it might lead to a state of confusion and distraction, which at least would disturb the enjoyment of those blessings of which we were in possession. I thus found the probability of good small, while the mischief was of a size so gigantic as to exceed calculation. And upon this reasoning, even if I had rated as high as ever the advantages of a reform, and had seen a greater probability than had hitherto appeared of accomplishing such a reform, I would rather have abandoned my object than have incurred or increased the danger. I would rather forego for ever the advantages of reform, than risk for a moment the existence of the British Constitution. Besides, I considered the necessity for a reform, in consequence of circumstances which had since occurred to be considerably less than when I had brought forward my original motion. But how then was the question argued on the other side? The danger which I stated was not denied. But it was alledged that this was precisely the time to bring forward a moderate reform, as the best means to quiet violent spirits, and the surest remedy against ruinous innovation. The gentlemen who now come forward in the cause of Parliamentary Reform, I have no doubt, were encouraged in their first exertions by the hope that they should be enabled to overawe the violent spirits, and that moderate men, who might otherwise have been misled, would be induced to join their standard. I have learned from their publications, that they not only proposed to guide the minds of the people, but also to be guided by them, and that they were resolved to

drop their views if they should find that they did not meet with a pretty general concurrence. Such was the situation of the business at the last session. I will now inquire what has passed since. And here I shall enter along with the noble Lord into the protest against not being allowed to introduce the subject of the affairs of France, which I consider as intimately, essentially, and inseparably connected with the present question.

Another year has now passed in that country, disgraced with excesses and outrages so horrid, that they efface the memory of those which formerly occurred, and leave of them only the faint traces, and the image hardly visible. The conduct of the French, in all its circumstances, bore a peculiar application to this country: it presented the fruits opening, in due season, the legitimate offspring of those trees, under the specious pretext of liberty, planted against this country and its allies. The French had disclosed a system of disseminating their principles, and procuring profelytes in every part of Europe, a system which they had particularly followed up with respect to this country. Such was the case without—what was the situation of affairs within? Societies had been formed in this country, affiliated with the Jacobine Clubs in France; and though they had since assumed a different shape, were then employed for the purpose of spreading Jacobine principles. In this object they proceeded with a degree of boldness and confidence, proportioned to the success of the French arms. We thus beheld the scheme which we had anticipated as the result of the new Constitutions in France opening upon us. We had more immediately an opportunity of seeing what were the views of the Legislators in France with respect to this country, and what their instruments in England were endeavouring to effect. For while in France, they always mentioned the pretext of a Parliamentary Reform, as the medium by which they were to introduce their principles; their instruments here always took care to connect the system of Parliamentary Reform with all those delusive doctrines, upon which was founded the newly-raised fabric of French freedom.—Nothing less than a National Convention was held out as a sufficient remedy for the abuses which prevailed in the representation, and the sole organ through which a more perfect

form of Government was to be obtained ; namely, such a Government as should acknowledge no other source of authority and no other rule of conduct, than the will of the majority. In short, French principles were inculcated as the true standard of political belief, and the example of the French Government proposed as a worthy object of imitation. I now proceed to events of a more recent date. The spirit of disaffection which had been thus raised was happily kept under, and prevented from breaking out into action by the seasonable interference of the Legislature, by the vigilance and exertions of the Executive Power, by the loyalty, vigour, and unanimity of the people, and likewise by the interposition of Providence, in the turn lately given to affairs on the Continent, and the check experienced by the French arms. The admirers and supporters of French policy in this country felt a depression of spirits from the defeat of their friends and allies, which for a time gave a fatal blow to their hopes, and compelled them to conceal their views, and to assume a veil of caution but ill suited to the ardour of their temper, and the boldness of their enterprise. But though they had thus been forced for a while to relinquish their schemes, it was not to be presumed from this that they had by any means abandoned them—No; they still indulged the same hopes, they still meditated the same plans, and only lay by to watch for an opportunity favourable to the accomplishment of their designs. For that purpose, they had looked peculiarly to the question of Parliamentary Reform. Previous to the bringing forward the present motion, a great number of petitions had been presented to the House, equally singular in their form, expression, and the manner in which they had thus been submitted to notice. They had been introduced under the auspices of the gentlemen who supported the motion. They were all of three descriptions, except that one upon which the motion was more particularly founded, and a petition from Nottingham conceived in exactly the same terms with one which had been received from that place in 1782. When it had first been received, it came after a long war, which had harassed and exhausted the country, and the calamities of which it stated as a proper ground for a Reform of Parliament: unfortunately it still employed the same language, and gave the same description of the country,

after a long and prosperous peace. All these petitions came either from England or from Scotland, or from places in England and Scotland, that seemed to have no natural connection or likelihood of communication. Yet coming from these different places they were all the same in substance and nearly the same in stile; whatever little difference there might be in the expression, they seemed all to proceed from the same hands—

*Non facies omnibus una*

*Nec diversa tamen : qualem decet esse fororum.*

They all, it must be confessed, betrayed a strong family likeness. Almost the only difference was, that those from Scotland expressed their surprize at the immense load of debt, notwithstanding the extent of the taxes, which they stated at twenty millions, four millions above the truth. All of them were the same in prayer; they concurred in praying for the right of universal suffrage, as the basis of that reform which they desired. With respect to those petitions, two questions arose; first, What weight they ought to have with the House, and how far they ought to be allowed to go in influencing their judgement; and secondly, Whether this is a season proper for the consideration of that object which they claim, and favourable to a temperate reform? On the first point, when petitions came to the House, fabricated, in appearance, similar in substance and expression, it did not require much time to determine in what point of view they were to be considered. There was every reason to suspect that they were the work of a few individuals. They had certainly much more the appearance of the design of a few individuals, than of the general expression of the sentiments of the country. If it was asked, then, what weight they ought to have? the answer was easy. None. What weight ought to belong to petitions coming to that House in those circumstances, carrying every appearance of concert and system, combined in the same prayer, and expressed nearly in the same language? The fraud was too gross and palpable, and it was evident from what quarter they came, and with what views they were presented. All the circumstances in France and this country pointed out the present as a season unfavourable to a temperate reform. The gentlemen who supported the motion had been engaged in a society for a

twelvemonth for the purpose, as they themselves stated, of allaying the violence of those who might be misled by a blind rage of innovation, and enlightening the people with respect to the nature of their true claims. Such had been the objects which they had held out at their commencement; they had proposed to make a fair experiment, to allow the people of England a full opportunity of procuring a rational and moderate reform; and if they should find that they could not succeed, and that the people should be disinclined to any plan of reform, and not disposed to prosecute the measures which they should recommend, they were then to abandon their purpose. They had now gone on for upwards of a twelvemonth, publishing to enlighten the people, and using every means to promote their own influence, and during all that time they had not been able to make a convert of one man in England.— They had been obliged at last to come forward with a petition of their own, introduced to the House on the very day that the debate was to take place. The other petitions which united in the same object of demanding Parliamentary Reform carried a suspicious and dangerous appearance. Ought they not then, consistently with those principles which they had avowed in the outset, to have come forward upon this occasion, to have acknowledged their mistake and their conviction, that the people of England were not desirous of a reform, to have given up their object in which they found they could not succeed, and to have joined with us in opposing a reform which is not even desired, and which could not be granted with any propriety in the present moment, or even with the chance of advantage to those for whom it is demanded? But what are the grounds upon which they now bring forward this question of reform? First, they state, that from the general burst of loyalty expressed by the nation upon the first alarm, there is no reason to fear that the people will pass beyond the bounds of discretion, and that no season can be more favourable for a temperate reform than that in which they have so strongly testified their attachment to the established order of things, and their reluctance to any change. Of this temper they recommend to us to take the advantage. But how stands the case? The fact, I grant, is indeed true. But it is also true, that societies in this country have been anxiously seeking not to obtain

reform, but to find cause of dissatisfaction; not to allay the violence of innovation, but to inflame discontent. Is it then out of deference to that small party, actuated by such principles, and pursuing such a line of conduct, that we are to grant a reform, and not out of respect to the great body of the people of England, animated by a spirit of the purest loyalty, and too much attached to the blessings of the Constitution and the present Government, to wish to hazard them by a change? What then is the question at issue? It is the same question which is now at issue with the whole of Europe, who are contending for the cause of order, of justice, of humanity, of religion, in opposition to anarchy, to injustice, to cruelty, to infidelity. I am sensible that ninety-nine out of a hundred of the people of England are warm in those sentiments, are sensible of the security which they enjoy for these blessings from the frame of our excellent Constitution; and so far from wishing to touch it with an innovating hand, are prepared to defend it against every attack. Are we to yield then to the clamours of dissatisfaction and discontent; and are we to disregard the voice of satisfaction and gratitude? Are we in order to gratify the caprice, or sooth the insolence, of a few disaffected, to neglect the benefit of the common body? Are we at a moment of emergency like this, when the great cause of all is at stake, to suspend our cares for the public welfare, and attend to the discussion of petty claims and the redress of imaginary grievances? Are we, at such a moment, in order to please a few individuals, to hazard the consequence of producing alarm and distrust in the general body, firm and united in the common cause? This conduct would indeed resemble that of those who at the moment that their citadel was besieged should proceed to the discussion of points of difference rather than attend to providing the means of defence. The next ground alledged for bringing forward the motion for reform at present was, that this was a time of war, and that from the situation of commercial credit the country was in a state of alarm and distrust. These certainly were very strange reasons for such a measure; if we are engaged in a war for the purpose of defending ourselves against a foreign enemy, was this a reason why we should hazard the consequences of any distraction at home? This, instead of diminishing, would be the most effectual method to add to the



evil! Of the state of credit I shall say nothing, though the reasoning, as applied to it, stands in the same predicament; certain it is, that considerable embarrassment has lately taken place; a circumstance at all times very apt to result from an extensive commerce. The Legislature, much to their honour, have stepped forward, and made an exertion for the aid of the merchants, which, as it is extraordinary, I hope it will be successful; but can this embarrassment be ascribed to the Constitution, except by making the Constitution the cause of that extent to which commerce has been carried? But could this period and this state of affairs be brought forward as grounds for reform—by gentlemen who last year stated on the same occasion the duration of a long peace, and the high state of public prosperity, as their motives for calling the attention of the House to that subject? These were certainly two novelties which require to be reconciled before the gentlemen can make any pretensions to consistency of reasoning. I shall next proceed to remark on the precise nature of the motion itself. The motion is, to refer to a Committee one of those petitions for a reform which have been presented to the House. Whether the honourable gentleman who made the motion means likewise to refer them all, is a point of which I am not ascertained. [Mr. Grey here nodded assent.] If he means to refer them all, my reasoning on the subject is reduced to a very short compass. Ought we to refer to a Committee to deliberate on the measure of unlimited suffrage? The circumstance of having moved to refer the prayers of the petitions, without having pointed out any specific plan for obtaining their object, clearly renders it improper to go into any discussion on the subject. This circumstance has a tendency to excite discontent, without affording the means of allaying it. Though I formerly moved for a general inquiry, I was afterwards convinced, that it would be attended with no good effect, and abandoned the motion. I became sensible that there was no chance of obtaining any advantage, but by bringing forward a specific proposition. If I thought so then, how much more must I now be confirmed in the same opinion? If any object is proposed for discussion, it ought to be a specific object. The contrary mode can tend only to perplex the discussion, and to render it productive of mischief. I shall now shortly observe on the manner of intro-

ducing this business. The honourable gentleman stated fairly and candidly, that he brought forward the present question, not on the ground of right, but of expediency. I think so too. To talk of an abstracted right of equal representation, is absurd. It is to arrogate that right to one form of Government, whereas Providence has accommodated the different forms of Government to the different states of society in which they subsist. There are as many different rights as the causes which occur to diversify the modes of Government. There is one right for a Roman, another for an Athenian, and a third for a Lacedemonian; but though the honourable gentleman disclaimed the ground of general and abstracted right, he has so far enlarged his ground of expedience as to embrace the mode of reasoning, by which that wild theory is supported. He has declared himself ready to take even universal suffrage, that mode which he approves the least, rather than to suffer the Constitution to remain as it is. I so far differ with him, that I would rather abandon what I conceive to be the best plan of reform, than risk the consequences of any hazard to the Constitution, as it at present subsists. Can I then embark in the same Committee with the honourable gentleman, while he rejects the only plan on which I have contended for reform, and is ready to give into that which he himself deems the worst? I must confess myself alarmed at the extent to which he carries his object; and, I cannot help looking at the society with some degree of suspicion, in consequence of a letter which I find signed with his own name. This letter is addressed to the people of Sheffield. These people have so well benefited by those lessons of caution and moderation which they received from their patrons, the Friends of the People, that they lately addressed to the House a petition for Parliamentary Reform, conceived in such terms as rendered it improper to be received. They early communicated to the Friends of the People their plan for a Parliamentary reform, by assembling a Convention of National Delegates. The answer to this is nearly expressed in the following words: — “ On the plan which you have suggested we do not think it yet a fit time to deliberate. In a more advanced stage it may become a proper subject of discussion.” The honourable gentleman, in his ideas of reform, proceeds upon grounds directly opposite to mine, not indeed

less hostile to my views than they are to the present form of the Constitution. Upon the whole, from the method which he proposes, I see no probability of a temperate reform, and, if granted, it would not even answer the end for which it is demanded. So far from satisfying those who now solicit it, it would only extend their views and multiply and encourage their claims; they want not a Parliamentary Reform for itself, but for something else, in which they have prospect. They consider it not as the end of their wishes, but only means which may lead to their accomplishment. But here we are told, that by refusing this reform, we are acting upon the same principle by which we lost America, by not complying with the demands of that country. The Americans desired specific relief; they pointed out a definite object with which they pledged themselves to be satisfied. It was refused to them, because it was said, that it would only encourage them to ask for more. I do not now mean to enter on the propriety of this refusal, or a discussion of the means by which America was lost; but I cannot help remarking that there is a wide difference between the two cases. Here no specific relief is demanded, no definite object is pointed out. You are desired to give, what nobody asks; and to those who tell you, that even if you give it them, they will not be satisfied. It has been asked, who were the *they* so often alluded to in the course of the debate. The answer was short. They were those who have signed the petitions. They claim that which can be resolved into nothing but a deduction of French principles: that which is termed the will of the majority, the will of the multitude. The motion requires you to be prepared to deliberate whether it is right or not to give individual suffrage. On this question, I am not prepared to deliberate; first, because it wants no deliberation, and secondly, because I have deliberated upon it long enough already. I have not been so inattentive to what has now passed in a neighbouring kingdom, nor have I been so unaffected by the transactions which have there occurred, as not frequently to have taken this subject into consideration. I shall now give my reasons, why I am not prepared to deliberate on the question; and first, because my plan went to give vigour and stability to the ancient principles of the Constitution, and not to introduce into it any new principles. The merit of the British Constitution is to be

estimated, not by metaphysical ideas, not by vague theories, but by analysing it in practice. Its benefits are confirmed by the sure and infallible test of experience. It is on this ground, that the representation of the people, which must always be deemed a most valuable part of the Constitution, rests on its present footing. In the history of this country, from the earliest period down to that in which I now speak, the number of electors have always been few, in proportion to that of the great body of the people. My plan went to regulate the distribution of the right of electing Members, to add some, and to transfer others: when such was my plan, am I to be told, that I have been an advocate for Parliamentary Reform, as if I had espoused the same side of the question which is now taken up by these honourable gentlemen, and were now resisting that cause which I had formerly supported? I affirm, that my plan is ten times more contrary to that of the honourable gentleman, than his is to the Constitution: nay, I go farther; I agree with the honourable gentleman (Mr. Windham) that to adopt the system now proposed, is to adopt the principles of the French code, and follow the example of their legislators. As these principles are unknown in the history of this country, it is to France only that we can look for their origin. The same principle which claims individual suffrage, and affirms that every man has an equal right to a share in the representation, is that which serves as the basis of that declaration of rights on which the French Legislators have founded their government. We ought to recollect that there are 250 persons who possess an equal voice in the Legislature with that of this House; that there is a King, who, to the third of the Legislative, adds the whole of the Executive Power; and if this principle of individual suffrage be granted, and be carried to its utmost extent, it goes to subvert the Peerage, and to depose the King, and, in fine, to extinguish every hereditary distinction, and every privileged order, and to establish that system of equalising anarchy announced in the code of French Legislation, and attested in the blood of the massacres at Paris. The question then is, whether you will abide by your Constitution, or hazard a change, with all that dreadful train of consequences with which we have seen it attended in a neighbouring kingdom? Abide by your Constitution, did I say? It cannot be necessary

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for me to add a word more. But I would not stop there if it were possible to go farther. If it were possible for an Englishman to forget his attachment to the Constitution and his loyalty to the Sovereign—if it were possible for him to lose all those generous feelings which bind him to his country and secure his obedience to its laws—if it were possible for him to sacrifice all these to those principles which are brought forward to support a change of government; yet, if he should attend only to reason, he would find them wild and illusive theories. He would find the principle of individual will powerful and efficient to the destruction of every individual and of every community; but to every good purpose null and void. He would find that those rights which entitle all to an equal share in the Government, are rights which only serve to remove them from useful labour, from sober industry, and from domestic connections, and which abandon them to be the slaves of every idle caprice, and of every destructive passion. The Government that adopts such principles, ceases to be a Government; it unties the bands which knit together society; it forfeits the reverence and obedience of its subjects; it gives up those, whom it ought to protect, to the daggers of the Marseillaise, and the assassins of Paris. Under a pretence of centering all authority in the will of the many, it establishes the worst sort of despotism. Such is the state of that wretched country, France, the detestable policy of which has added new words to the dictionary, such as the phrases of municipalities declaring themselves in a state of *permanent* revolution, and the nation itself in a state of *sovereign* insurrection! In what is called the Government of the multitude, they are not the many who govern the few, but the few who govern the many. It is a species of tyranny, which adds insult to the wretchedness of its subjects, by stifling its own arbitrary decrees the voice of the people, and sanctioning its acts of oppression and cruelty under the pretence of the national will. Such is the nature of those principles connected with the right of individual suffrage; and how far you are prepared to give countenance to that measure, by referring it to a Committee as a subject of deliberation, you are now called to determine.

Mr. SHERIDAN said, that if the right honourable gentleman who had just sat down thought it necessary to commence

his speech with an apology to the House for troubling them at that late hour, surely, then, it might be natural that he should make also an apology for intruding himself in the present stage of the debate. He was sure that the House, in any other circumstances than the present, might expect that apology; but on the present occasion he should not make an apology, for he would not pay the House so ill a compliment as to insinuate that the Members of it were not ready to do their duty in that House, which was to hear impartially all that could be said on either side of any question that came before them. The House had already heard, with patience and with attention, much observation on both sides; it was to their honour they had done so. He felt difficulties often when he had occasion to trouble the House, but upon this occasion he could not help thinking that he stood upon very advantageous ground. He knew the advantage which the right honourable gentleman had in that House, and that for many reasons he was more likely to be attended to than those who were to oppose him; few, if any, were heard within the walls of that House so attentively as that right honourable gentleman. But the task which devolved upon the person who had now the honour to address the House was great indeed: he knew that he and others of the same sentiments upon this subject had to speak freely bold unwelcome truths, and such as would not be heard with pleasure; yet so deeply was he impressed with a sense of his duty, that, notwithstanding all these disadvantages, he should not shrink from the task, but would do all in his power to perform it, even in the present situation of the House. He would not be discouraged, although he knew the effect of the burghage tennures, of which the petition complained. The petition stated, and he would repeat to that House, that many of the Members could only properly be addressed as the representatives of a particular person, and not the people of England. This he and those with whom he acted ought to say to a great number of the Members of that House: men who were either sent there by the express interference of the Crown, or by individuals, at the will of the Executive Government. They ought to say so, in order to be able to render an account to the Public, whose agent and attorneys they were, in order to satisfy that Public that they had not neglected their duty. They were

not in any case to be discouraged from the discharge of their duty ; for though they knew their numbers to be small, they yet were conscious their cause was good. The speech of the right honourable gentleman was an extraordinary effort of his great, splendid talents, noble and vigorous mind. He applied all his powers to this subject : he appealed with his utmost skill to the pride and the passions of the Assembly. The right honourable gentleman was aware that he was addressing his auditors upon a subject that required all his art, and therefore it was that all the art he was master of was used. It was a topic very worthy of the highest art ; that of convincing a great number of men that his conduct at this moment was not inconsistent, although perfectly different from his former professions. He thought, however, that the right honourable gentleman would have confined himself a little more to an explanation of the subject on which so much objection had been taken to his conduct ; instead of this explanation, he had found out a great number of auxiliary evasions. The right honourable gentleman now objected to his honourable friend's motion upon this subject : he objected to it now, because it was not specific, or because it did not contain a specific plan ; and yet it was a little whimsical that this sort of objection should arise from that right honourable gentleman, who himself had proposed precisely the same sort of motion. But the right honourable gentleman told the House that he was now convinced of the impropriety of that measure : convinced of the impropriety ? What was it that convinced him ? Was he afraid that the proposal of asking for a Committee to inquire into the truth of any allegation of the corruption of Parliament might be attended with success ? What was he afraid of ? Did he fear he should be obliged to carry a plan for a Parliamentary Reform ? He hoped the right honourable gentleman had some reasons for this change of his mind, which were honourable to himself, although he had not divulged them. But the change of the right honourable gentleman's mind upon this part of the subject was still more inapplicable, for he said even now that he had not totally abandoned all thoughts of persisting in some measure for a Parliamentary Reform ; and yet he seemed to say that he should never agree to any plan upon that subject that had not some specific reme-

dy to a stated grievance. This was the more to be wondered at, when it was remembered that when that right honourable gentleman made one of his motions for a Parliamentary Reform with a specific remedy, he was negatived by a large majority. But when he moved it merely as a plan for a Committee of Inquiry, such as the present motion was, he was resisted only by a majority of twenty in a full House. Whatever the right honourable gentleman might think or might wish, Mr. Sheridan said, he, for his part, had no doubt but that a motion for a Committee of Inquiry was the most eligible plan that could be proposed upon this subject. This, he said, for many reasons, one in particular, he could not help stating, which was the facility with which objections could be stated. Many persons, who were in their hearts enemies to the whole system of any Parliamentary Reform, might yet, for the sake of concealing it, say, If you had brought some other plan forward, I should have given it my support; but I am convinced that this plan is an improper one; and therefore there were always more enemies to a specific than a general plan. This petition, therefore, in his opinion, was a proper one. It stated certain grievances, which the Petitioners were ready to prove at the bar of that House; and he knew not upon what principle of justice it was that the House could refuse entering into an inquiry. But there was said to be a great objection remaining to this petition, from the nature of its allegation, as well as the prayer of it; for that it went to ask that which was against the principles of our Constitution. Gentlemen had laid great stress upon what they stated in that respect, which was, that the principles of our Constitution, and the whole of the system of our representation, was select, and that a system of general representation would destroy the whole of the spirit of the Constitution altogether, by which representation was not matter of right. Gentlemen, in making this observation, were confounding the means with the principle — the principle of our Constitution was representation; the means were selection and distribution. To illustrate this, Mr. Sheridan read the preamble of an act of Parliament, passed in the reign of King James the First, in which was stated, that the whole of the Commons were present when the bill passed their House. This was always the principle of



the Constitution of this country. Another thing was stated as an objection to the petition, which was, that it went to the extent of asking for an universal representation. Nothing was easier than to say so ; but that was not the fact : the Petitioners did not claim the right of universal suffrage. But gentlemen urged, as another objection to the granting of the prayer of this petition, the danger which would attend it ; and some went so far as to say, that if there were a full and complete representation of the people in that House, there would be an end of the other two branches of the Legislature ; for that the power of the Commons would be so great, that the King and Lords would be voted useless. Such observations he thought highly dangerous, and he must say he did not think that sentiments more mischievous than these ever were uttered within the walls of that House ; and he was sure that if the representation of the people were complete to-morrow, the people of this country had too much good sense to instruct their representatives to do any thing to affect the just prerogative of the King, or to diminish the privileges of the nobility : they would not suffer their agents to do any thing of that nature, because they knew that if they did, their own power would be in danger. He would repeat it, that the good sense of the people of this country would have their own interest in view, and that if the representation of the people in the House of Commons was complete, the King would be firmer upon his throne than he was even at this moment. Another objection made by the right honourable gentleman was that which arose from the danger of transacting business in this case through the medium of delegates. How the right honourable gentleman had, on a sudden, formed such a dislike to delegates he did not know ; but it reminded him of what had happened on a former occasion, when this subject was under the direction of the right honourable gentleman himself ; they had then delegates, and he (Mr. Sheridan) happened to know this, because he was one of the Committee himself : so far was it from being thought at that time an impropriety, that the right honourable gentleman determined on carrying on the business in that very manner ; and the Lord Mayor of London gave them the use of Guildhall to transact their business, and gave them and the delegates all the encouragement he could to proceed upon

the plan which they had commenced ; but now the word delegate seemed to be disagreeable to the right honourable gentleman. Indeed, Mr. Sheridan observed, that there seemed to him to be a great deal of insincerity in the conduct of the Chancellor of the Exchequer upon this subject. He should have told those who had now brought this matter forward, that they were not to expect his assistance : this would have been infinitely more manly than his present behaviour. He wished the Chancellor of the Exchequer would either tell the friends of Parliamentary Reform when he thought he should lend them his assistance, or say that he never will. He had proved he was of opinion that a season of permanent prosperity was not the time. He had proved too that a time of war was not the time. Should they have the assistance of the right honourable gentleman after the war with France was over, or should we then be told, that the French being subdued, we should not suffer any alteration in our own Constitution ? He should either say at what time he should lend that assistance, or say that he was in the wrong when he brought the subject of Parliamentary Reform forward, and since that time he had seen his error, and had therefore abandoned his principle. Mr. Sheridan said he had rather hear that the right honourable gentleman had abandoned it altogether, than find that he abandoned it only while he was Minister, and that he should take it up again when he shall be out of power, because that would cast a shade upon the whole subject, and make the people of this country think there was nothing like honesty among those who professed attachment to the rights of the people, and the people might therefore despise all parties, and come to a determination of doing every thing for themselves. Mr. Sheridan then observed, that the right honourable gentleman had intimated that the people were not desirous of a Parliamentary Reform, and that only a few individuals had expressed that wish. Upon this occasion he referred to the speech of an honourable gentleman (Mr. Duncombe) early in this debate, and there it would be found that the honourable gentleman had said that he believed in God that the prediction of the late Earl of Chatham would prove true, that a reform in Parliament would be had before the end of the present century. It had been said that the measure proposed would be dangerous at

the present moment, on account of the connection between France and this country. There could not be a more unfair argument than this, because nothing could be more different than the dispositions of the people of France and the people of this country. The one knew, and had enjoyed for a long time, a certain portion of liberty ; the other had but just ousted their despotism ; and therefore to refuse to inquire into this subject on that account was ridiculous. The right honourable gentleman had said much on the vigour of our Constitution : he never should attempt, he said, to deny but that the vigour of our Constitution produced wealth ; on the contrary, he allowed that wealth rose out of the Constitution ; but if we persisted in not taking care to preserve that Constitution by every means in our power, the very wealth it produced would be the means of its destruction ; and the wealth which the Constitution had been the means of acquiring was the best reason why a reform should take place. Mr. Sheridan then took notice of the observation of a right honourable gentleman (Mr. Windham), who had spoken in a former debate on this subject ; that right honourable gentleman, in the course of his speech, had said, that he was opposing those who had a wish for a revolution in this country, and not a reform. He took some time to prove that they could not lay any stress upon the representation of this country as a principle. He saw that one petition contained more names than all the electors of this country who returned one half of the Members of that House. This was certainly very alarming to those who agreed with the logic of that right honourable gentleman, because he maintained that the more numerous the Petitioners were, the greater was the chance of their being in the wrong ; and yet again, after thus speaking against majorities, he proceeded to run down the minority. That right honourable gentleman had often been in a minority ; but having lately had dealings chiefly with the majority, and therefore had an excellent opportunity of shewing his judgement by dividing with the minority, he had a better opportunity of knowing their error. Having played upon this point for some time, he turned again to a serious view of the subject, and observed, that there were but three ways of judging of any point : the first was, by reason and truth ; the second was, by majority of the opinion of those

who think on the subject ; the third was, force. If the first were sufficient, the other two would be unnecessary, and there would be no occasion for Government, because if man was to be governed by reason and truth, he would be perfect, and, being perfect, it would not be necessary that he should be governed ; but as man was a frail being, it was necessary that he should have some government, and therefore there remained but the other two for his choice. Now of these two he believed there was no difficulty in chusing ; for as we all abhorred force, we came to the necessity of adopting the opinion of the majority of our fellow beings, and therefore the right honourable gentleman, in declaring himself in a state of permanent insurrection against the majority of the people, was not perfectly correct. As to the general challenge of proving the abuse which subsists in our Government, Mr. Sheridan said, he had no delight in it ; but as he must answer—Some then of the abuses of which he complained, and of which a reform of Parliament was the only remedy, were, that Peers of the other House sent Members to the House of Commons by nomination ; that the Crown sent Members into that House by nomination too ; that some Members of that House sent in Members by their own nomination also—all these things made a farce of an election for the places for which these gentlemen were returned ; that men were created Peers without having been of the least service to the Public in any action of their lives, but merely on account of their parliamentary influence—the present Minister had been the means of creating a hundred of them. He did not blame him, but the fault was in the system of Government ; that corruption was the pivot on which the whole of our public Government affairs turned ; that the collection of taxes was under the management of wealthy men in parliamentary interest, the consequence of which was, that the collection of them was neglected ; that, to make up the deficiency, excisemen must be added to the excise—this soured the temper of the people ; that neither in the church, the army, the navy, or any public office, was any appointment given, but in consequence of parliamentary influence ; that, in consequence, corrupt majorities were at the will of the Minister. He did not like to tell secrets of the prison house of the Treasury, but in the present instance he was called upon.

In short, whether the eye was directed to the Church, the Law, the Army, or to Parliament, it could only observe the seeds of inevitable decay and ruin in the British Constitution. He next animadverted upon the American war, its origin, and issue: there he maintained that delusion was practised under the pretence of taxation, but in the end this country had paid dearly for the experiment of Ministers. He alluded to the proselytism which had been ascribed to the views of the French nation, and of which they now seemed themselves to be thoroughly ashamed, since similar doctrines had been carried into execution, by the Empress of Russia and the King of Prussia, with regard to the unhappy partitioned kingdom of Poland. Mr. Sheridan concluded by stating, that the object of reform he and his colleagues had in view would be persevered in until it was effectually accomplished.

Mr. ADAM said, he felt it his duty to assign the reasons for the vote he meant to give, and this he should do in very few words. Much as he respected his honourable friend who presented the petition, and those who supported the motion for referring it to a Committee, he saw no possible advantage that could arise from taking it into consideration. The style of it was not new: all the objections which it contained to the present form of the representation were stated in nearly the same manner by Dr. Paley, but with an inference very different from that of the petition. "The objections," said Dr. Paley, "were of a nature to strike only at first sight, and to disappear on more accurate examination." It was, therefore, highly necessary to consider, when any alteration was proposed, whether the benefit to be gained was equal to the risk to be incurred. This doctrine had his entire assent; and to refer the petition to a Committee would shew only what they knew before, that there were inequalities in the representation. The next point to be inquired into was, whether or not the representation, in its present form, was such as to secure to the people those rights which were the end of all government. It had been said, that the best of all possible governments would be absolute monarchy, under a wise and virtuous prince: this he denied; for although a wise and virtuous prince might maintain those rights to the people, they had no security for their being continued. Civil rights could not be secure without

political rights ; and the question now was, Had we such political liberty as to secure the possession of our civil rights ? That we once had was admitted. A learned friend of his (Mr. Erskine), who argued in support of the motion, admitted that the representation was sufficient for this purpose before the Revolution. Since the Revolution he affirmed that the constant operation of all changes had been to extend the personal and contract the virtual representation. The various acts passed to secure the independence of elections were proofs of this ; and the increase of wealth and population had added much to the number of electors in the great towns. There was also another reason : the debates in that House were more generally known, and more particularly attended to. Every Member knew when he was speaking that his arguments and conduct would be discussed and canvassed by the public at large. He therefore was clearly of opinion that the representation, in its present form, was fully adequate to all the purposes which it was intended to answer. For these reasons he should vote against the motion. With respect to the time of making it, there was no solid objection ; for the alarm on which it was attempted to found an objection, he had always believed there was no ground ; and, conceiving the merits of the argument to be as he had stated them, he conceived those who resorted to a variety of other topics to have rather weakened than strengthened it.

Mr. FOX said, he was sorry to trespass on the patience of the House at so late an hour, when, after two days' debate, he could have but little hope that he should either entertain or instruct. It was new and extraordinary, that, by the course and mode of argument pursued by the Chancellor of the Exchequer, he should feel himself called upon to apologise for persisting in the opinion which he had always held upon Parliamentary Reform, or to assign his reasons and justify himself for not altering it as the right honourable gentleman had thought fit to alter his. He had never before imagined that the presumption of guilt lay against consistency, and that whoever presumed to think as he had always thought before must immediately be put on his defence. If the opinions which the right honourable gentleman formerly professed, if the propositions which he had endeavoured to persuade Parliament to

adopt, were so very erroneous, and pregnant with such alarming consequences as he had now depicted, it was but natural to suppose that he would have read his recantation with compunction, and expressed humiliation instead of triumph in recapitulating the enormous mischiefs to which his former errors might have exposed his country. He assumed that the right honourable gentleman had completely changed his sentiments on Parliamentary Reform, for he had expressly said so, with the poor reserve, that the time might yet come when he should think it as expedient as he had done before. The arguments he had used would apply equally to all times; and it would have been more candid to have said so explicitly, than to have held out a hope, whom to please he knew not, which, without a second change of opinion as entire as the first, could never be realised. In his arguments against the present motion he had had recourse to the mistake that the object of the present motion was universal suffrage; against this, which made no part of the motion, more than half his speech was employed, and every idea of that part borrowed from what had been urged against himself ten years ago by those who opposed his first motion of reform. Here he was only a plagiarist; not a common plagiarist indeed, but such a plagiarist as Virgil, who improved and adorned what he borrowed. He was obliged to admit that his honourable friend who made the motion disclaimed universal suffrage for his object; but then, he said, look at the petitions, only one of which, however, contained this doctrine. Was he ready to say, that, when he brought forward his motion in 1782, none of the petitions then before the House contained the very same? But, in addition to the evidence of the petitions, his honourable friend had, on some other occasion, met certain persons at a tavern, known advocates for universal suffrage, which was almost proof positive that his honourable friend was so too. How did this sort of inference operate against the right honourable gentleman himself. When he brought forward his plans of reform, he was acting at all points with the Duke of Richmond, the great apostle of universal suffrage; and it was no very unreasonable supposition that his very first motion on the subject of reform might have been concerted with his

Grace at Richmond House. If then men's intentions were to be canvassed by supposed privy to the designs of others, the privy of the right honourable gentleman to the Duke of Richmond's system of universal suffrage could not be denied, and he must be pronounced guilty by his own rule.

The right honourable gentleman's next objection was to the mode; the very same mode which he himself had adopted. On more mature consideration he had altered his mode; but here he must intercede for the right honourable gentleman's juvenile judgement, and in particular request that he would not insist on dragging through the dirt all those who had supported him in his first motion. What reason he had for changing a motion, which he lost only by twenty votes, was perhaps better known to himself than to others; but he had no right to say that a motion of the same kind was more dangerous now than his own in 1782. He who had supported all his motions for reform, thought the first the least objectionable of them all. The mode of proceeding lately insisted upon, that a Member who proposed the redress of any grievance must move a specific remedy before the House could take the grievance into consideration, was directly contrary to the most approved parliamentary practice. The Member who moved for a Committee might go into it with a specific statement, which he might see reason to alter, unless indeed the right honourable gentleman had got an exclusive patent for altering opinions; or the Committee, supposing the grievance to be proved, might suggest a plan of their own, subject, like every other, to future modification or rejection by the House, when it appeared in the form of a bill. Such was the most convenient and the most ordinary mode of proceeding in all matters of great importance. Now what was the right honourable gentleman's specific plan? He owed an apology to all those who voted for it, and to him (Mr. Fox) among the rest, and who, although they approved of a parliamentary reform, did not approve of his particular plan, but trusted, that, when the general question was carried, they should be able to frame the plan in a less exceptionable manner. These were the precise conditions on which he then called for the support of all who wished well to parliamentary reform; and now he pretended to say that, by



supporting it, they pledged themselves not to the general question, but to the particular plan. The general rule was, for all who agreed on the existence of a grievance, and the necessity of a remedy, to concur as far as they could, and then to debate the particulars at a more advanced stage. This was a sufficient answer *ad hominem* to the right honourable gentleman, and to all the arguments against the mode. All those who wished well to the general subject ought to concur in support of the present motion, and if that were carried, the specific plan would come properly under discussion in a future stage.

Another objection was to the time. When the right honourable gentleman made his motion, he alledged, as the reason for it, that there were no adequate means for supporting a good Minister, or of repressing a bad one, without a reform in the representation; that to the inadequacy of the system had the misfortune of the American war been owing; and that it was necessary to provide against the nation's falling into a similar calamity. What had since happened to make the calamity less to be dreaded, or the precaution less expedient? Under the administration of the Marquis of Rockingham, an administration of which he approved, the right honourable gentleman first proposed reform, and that too in a time of war. Under another administration, of which he did not approve, he again proposed it, and in time of peace. On neither of these occasions did he consider the character of the Ministry as at all affecting the expediency of his motion, nor had he ever argued on it in that way. A third administration succeeded, of which he certainly did not entertain a bad opinion, for he was at the head of it himself; still he maintained, or said he maintained, all the doctrines he had held before on the necessity of reform. His reason could not be that he distrusted the virtue of the then House of Commons, for it was a favourite House of Commons, on all occasions much extolled by him. Such a favourite indeed, that his plan of reform was not to commence till after the dissolution of that Parliament. Thus, under all possible circumstances of time, in time of war, in time of peace, under an administration which had his confidence, under an administration that had it not, and when he himself was Minister, had the right honourable gentleman

agitated the question of reform. What was there now to make it improper for another to do that which it had been proper for him to do in every variety of time and circumstances? The prosperity of the country was no argument against reform, for it was not urged as a necessary measure to restore prosperity, but to give security to the prosperity which we enjoyed. That security, by the right honourable gentleman's own admission, no change of Ministers, nothing else could give; for he had moved it when Minister himself, and he did not surely distrust his own administration. When his honourable friend gave notice of his motion last year—a part of his argument which had been very unfairly treated—he said, that a time of national prosperity and peace, as the Minister had described that to be, must be considered as favourable for reviving the question of reform. Since then this unfortunate and mad war had been entered into, and his honourable friend said, “You who objected to my motion last year, as improper in the season of prosperity and peace, cannot now make the same objection in the season of war, and much public distress.” This, which he adduced merely as an *argumentum ad homines*, to prove the inconsistency of his opponents, was attempted to be made a charge of inconsistency against himself. What objection could the right honourable gentleman raise to reviving the question of reform in a House of Commons which he had found so favourable to him on every other subject? He would hardly venture to say that the House of Commons had been so universally complaisant to him, that he was sure they would never support a bad Minister. Had they often joined him in opposing Ministers whom he thought bad, he might indeed say that they would never suffer misconduct in a Minister; but on nine years experience of support to his own administration, it would be rather too much to make the same inference. There could be no objection to the motion being made now, except that it was made by his honourable friend instead of the right honourable gentleman. In the pride of his new wisdom, his present self felt such contempt for his former self, that he could not look back on his former conduct and opinions without a sort of insulting derision. As Lord Foppington in the play said, “I begin to think that when I was a commoner, I was a very nauseous

fellow ;" so the right honourable gentleman began to think, that when he was a reformer, he must have been a very foolish fellow : he might, nevertheless, have retained some degree of candour for his honourable friend, who had not yet received the new lights with which he was so marvellously illuminated. If the right honourable gentleman had rested his objections on the change of circumstances produced by the events in France, his argument would have been rational, or at least consistent. But he appealed to the recollection of the right honourable gentleman, whether he had not in 1785 argued as earnestly against universal representation, and painted the dangers of it in colours as strong as he had done now? The events in France, therefore, had produced no aggravation of the danger in his view of the subject, but rather made it less, in as much as the example of its effects in France had brought it into utter discredit in the mind of every thinking man ; and what he had not considered as an objection to his own motion in 1785, he had no right to insist upon as an objection to the motion of his honourable friend now.

He had always disliked universal representation as much as the right honourable gentleman ; but that dislike was no reason for charging it with more mischief than was fairly imputable to it. It had not been the cause, as the right honourable gentleman alledged, of all the evils in France. The first, or Constituting Assembly, was not elected on this plan, but on old usages and old abuses ; yet that Assembly had done some of the most unjustifiable things done in France : it had despoiled the clergy without regard to situation or character, and destroyed the nobility. The second, or Legislative Assembly, was not chosen by individual suffrage ; for when the constitution was framed, wild as the French were, they had laid many restrictions on individual suffrage, and made the distinction between active and inactive citizens. It was, therefore, unjust to charge on it what was done by assemblies elected before it was brought into use. France, after doing great honour to herself by shaking off her old intolerable despotism, had since been governed by counsels generally unwise, and often wicked. But what had this to do with our reform? It had been said, that French principles, though not more detestable than the principles of Russia, were more dangerous and more to be

guarded against, because more fascinating. Would any man now say that French principles were fascinating? What then had we to fear from what no man in his senses would wish to copy?

A right honourable friend of his (Mr. Windham) had last night, in a very eloquent, but very whimsical speech, endeavoured to prove that the majority was generally wrong. But when he came to answer some objections of his own suggesting, he found himself reduced to say, that, when he differed from the majority, he would consider himself as equally independent of the decision of that majority as one independent country of the decision of another, which was just to say that he would put an end to society; for where every individual was independent of the will of the rest, no society could exist. It was singular for him to defend the decision of the majority, who had found it so often against him; and he was in hopes that his right honourable friend would have shewn him some easy way of solving the difficulty. His right honourable friend said a wise man would look first to the reason of the thing to be decided, then to force, or his power of carrying that decision into effect, but never to the majority. He would say, look first, and look last to the reason of the thing, without considering whether the majority is likely to be for or against you, and least of all to force. He admitted that the majority might sometimes oppress the minority, and that the minority might be justified in resisting such oppression, even by force; but as a general rule, though not without exception, the majority in every community must decide for the whole, because in human affairs there was no umpire but human reason. The presumption was also that the majority would be right; for if five men were to decide by a majority, it was probable that the three would be right and the two wrong, of which, if they were to decide by force, there would be no probability at all. What was the criterion of truth but the general sense of mankind? Even in mathematics we proceeded from certain axioms, of the truth of which we had no other proof but that all mankind agreed in believing them. If, then, what all men agreed on was admitted to be true, there was a strong presumption that what many, or the majority, agreed on, was true likewise. Even reverence for antiquity resolved itself

into this ; for what was it but consulting the decision of the majority, not of one or two generations, but of many, by the concurrence of which we justly thought that we arrived at greater certainty ? His objection to universal suffrage was not distrust of the decision of the majority, but because there was no practical mode of collecting such suffrage, and that by attempting it, what from the operation of hope on some, fear on others, and all the sinister means of influence that would so certainly be exerted, fewer individual opinions would be collected than by an appeal to a limited number. Therefore, holding fast to the right of the majority to decide, and to the natural rights of man, as taught by the French, but much abused by their practice, he would resist universal suffrage. Without attempting to follow his right honourable friend, when he proposed to soar into the skies, or dive into the deep, to encounter his metaphysical adversaries, because in such heights and depths the operations of the actors were too remote from view to be observed with much benefit, he would rest on practice, to which he was more attached, as being better understood. And if by a peculiar interposition of Divine power, could be collected all the wisest men of every age and of every country into one assembly, he did not believe that their united wisdom would be capable of forming even a tolerable constitution. In this opinion he thought he was supported by the unvarying evidence of history and observation—another opinion he held, no matter whether erroneous or not, for he stated it only as an illustration, viz. that the most skilful architect could not build, in the first instance, so commodious a habitation as one that had been originally intended for some other use, and had been gradually improved by successive alterations suggested by various inhabitants for its present purpose. If then so simple a structure as a commodious habitation was so difficult in theory, how much more difficult the structure of a government ? One apparent exception might be mentioned, the Constitution of the United States of America, which he believed to be so excellently constructed, and so admirably adapted to their circumstances and situation, that it left us no room to boast that our own was the sole admiration of the world. The objection, however, was only apparent. They had not a constitution to build up from the foundation ;

they had ours to work upon, and adapt to their own wants and purposes. This was what the motion now recommended to the House, not to pull down, but to work upon our Constitution, to examine it with care and reverence, to repair it where decayed, to amend it where defective, to prop it where it wanted support, to adapt it to the purposes of the present time, as our ancestors had done from generation to generation, and always transmitted it not only unimpaired, but improved, to their posterity.

His right honourable friend (Mr. Windham) had said, on a former occasion, (Mr. Flood's motion), that if the constitution of the House of Commons were that the county of Middlesex alone elected the representatives for the whole kingdom, he would not consent to alter that mode of representation, while he knew from experience that it had produced such benefits as we had long enjoyed. Now, suppose, for the sake of argument, that the county of Cornwall, somewhat less likely to be a virtual representative of the whole kingdom than Middlesex, were, instead of sending forty-four Members to Parliament, to send the whole five hundred and fifty-eight, such a House of Commons might, for a time, be a proper check on the executive power, and watch over the interests of the whole kingdom with as much care as those of Cornwall; but with such a House of Commons no argument would persuade him to remain satisfied, because there was no security that it would continue to do so. The question now to be examined was, Did the House of Commons, as at present constituted, answer the purposes which it was intended to answer; and had the people any security that it would continue to do so? To both branches of the question he answered decidedly in the negative. Before proceeding to the reasons on which he thus answered, it was necessary to say a few words on the circumstances which, in his opinion, would justify a change. Many things short of actual suffering would justify not only a change, but even resistance. When the dispute began with America, it was not because it was held that the British Parliament had no legal right to tax America that the project of taxing her was opposed. The Americans indeed did maintain that the British Parliament had no such right; but he and many others who opposed the measure admitted the right, and he was still of the

same opinion. What then was the ground of the opposition? It was not any actual suffering on the part of the Americans: they themselves allowed that the taxes attempted to be imposed were of the most easy and unoppressive kind. But although these taxes were so, they had no security that heavy and oppressive taxes might not, at some future period, be imposed upon them by a legislative body, in which they had no representation, with which they had no very close connection of common interest, and over which they had no means of control. He, therefore, and those with whom he had the honour to act, thought this want of security, for what they were not then ashamed to call the rights of man, a sufficient cause of resistance. They justified the Americans in that glorious resistance, for which they were then called the advocates of American rebels, as some of them, though too familiar with such charges much to heed them, were now called the advocates of the French. That glorious resistance was ultimately successful, and to that success would yet be owing the liberties of mankind, if in this country they should unhappily be suffered to perish. Jealousy too was a good cause of change, or even of resistance—not jealousy captious or malignant, but jealousy founded on well-examined and rational grounds of suspicion. Men were not bound to wait till their liberties were actually invaded; prudence called for means of prevention and defence; and, to justify these, it was sufficient that they saw a clear possibility of danger.

Now, to shew that the House in its present state was unfit for the functions which it ought to discharge, he referred to the history of the American war. It was dangerous to make a concession in argument, for on that concession was generally built some assertion very different from what had been conceded. He had once admitted that the American war was popular in the beginning; and on that had been built the assertion, that he had called it the war of the people. He never called, nor meant to call it so; for, in truth, it was nothing less—it was the war of the Court. By the Court the project of taxing America was conceived, and the People were taught to believe that their money would be saved, and their burdens eased by a revenue drawn from another country.

Thus were they first deluded, and then bribed by an appeal to their pockets, into an approbation of the scheme of the Court. This was no assumption of his, for it was perfectly well known, that when a considerable addition to the standing army was proposed, the country gentlemen were induced to agree to it, by hints that the expence would be defrayed from another quarter, instead of falling upon them. In compliance with the wishes of the Court, the House passed the memorable Stamp act. The Stamp act was resisted and repealed; and the repeal was as popular as the passing of it had been. Was this a presumption, that the war was the war of the people? Was it not, on the contrary, a clear proof that the people had no definite idea of the object of the war? When, by subsequent acts of the same nature, and similar resistance on the part of America, the war was brought on, then indeed the indignation of the people was excited by the supposed ingratitude of the colonies to the mother country; their passions inflamed; the love of military glory, natural to the minds of a great and brave nation, roused; and the war became popular. But the war itself was the act of the Court, deluding the People by the subserviency of the House of Commons. The House passed the Stamp act; the House took all the other measures that led to the war, and voted that it should be supported, not as the organ of the People, but as the obedient servant of the Court. What was a successful war? he was somewhat at a loss to know. The American war, from the beginning, he had always called unsuccessful; but he was year after year told that he was quite mistaken, and that the success was fully adequate to every reasonable expectation. At length came the final blow, the capture of Lord Cornwallis and his army — the war was acknowledged to be unsuccessful, and the House put an end to it, but not till several years after the People had begun to send up petitions and remonstrances against it.

In some of the petitions on the table the accumulation of the public debt was imputed to the defect of the representation, and he was sorry to see such an absurdity in them. The accumulation of the public debt was the necessary consequence of the wars which we had been obliged to maintain in defence of our Constitution and our national independence; and he



for one had no scruple in declaring, that every war in which we had been engaged, from the Revolution to the American war, was both just and necessary. He would, therefore, acquit the House of all the debt contracted, except for the American war, and as much as might fairly be imputed to too remiss a superintendence of the expenditure of public money ; for all the debt contracted to support the American war, after that war became unpopular, the House of Commons was undoubtedly answerable. It was not enough for preventing wars that we were disposed to cultivate peace, if our neighbours were not as peaceably disposed as ourselves. When, therefore, the petitioners talked of preventing wars by reforming the House of Commons, they forgot that the work would be but half done, unless they could give as good a Constitution to France as England would then be possessed of. But when he mentioned this, he raised no argument from it against the general prayer for a reform in the representation. A right honourable gentleman (Mr. Burke), on presenting his plan of conciliation with America in 1775, made a speech, in which the virtues and the efficacy of representation were displayed with a force and clearness unequalled. Were the people of Ireland uncivilised and unsubdued after a forcible possession of their country for ages, what was the remedy ? Representation. — Were the Welch in perpetual contention among themselves, and hostility to Englishmen, what was the remedy ? Representation. — Were the counties of Chester and Durham full of discontent and disorder, what was the remedy ? Representation. — Representation was the universal panacea, the cure for every evil. When the English Constitution had once arisen in their sight, all was harmony, within and without ———

———— Simul alba nautis  
 Stella refulsit,  
 Desiit faxis agitatus humor ;  
 Concidunt venti, fugiuntque nubes ;  
 Et minax (sic di voluere) ponto  
 Unda recumbit.

Let gentlemen read this speech by day, and meditate on it by night ; let them peruse it again and again, study it, imprint

it on their minds, impress it on their hearts ; they would there learn that representation was the sovereign remedy for every disorder, the infallible security against popular discontent ; let them learn this, and give to the people not the unreal mockery, but the efficient substance of representation.

He came next to consider the conduct of the House since the American war. When the India bill, which he had the honour to propose, was lost, was it because the bill was unpopular ? By no means. Whatever odium had been afterwards excited against it, the people had then expressed no disapprobation. The right honourable gentleman (Mr. Pitt) had no hand in its defeat ; for, ready and able as he was to speak against it, it passed the House of Commons by a great majority. By whom then was it thrown out ? Let the merit be given to those to whom it belonged—it was thrown out by certain Bedchamber Lords, acting under the direction of those who had access to advise the King. The dismissal of the Ministry followed the rejection of the bill, and the House of Commons adhered to the discarded Ministers. The right honourable gentleman would surely allow that the House, in order to execute its functions, ought to command respect. Did it command respect on that occasion ? Was it respected by the Crown, by the Peers, or by the People ? The advisers of the Crown disregarded its remonstrances ; the Peers came to resolutions censuring its proceedings ; and the People treated it not as their organ in the Constitution, and the guardian of their rights, but as a faction leagued to oppress them, with whom they had no common interest or common cause. Since that period the House had not only commanded respect, but praise, from those who were permitted to advise the Crown, not by opposition, but by prompt obedience ; not by a watchful and jealous guardianship of the interests of the People, but by implicit confidence in Ministers and pliant acquiescence in the measures of the Court. Thrice had that House of Commons, which he should never mention but with honour, resisted the influence of the Crown, and nothing then was talked of but a reform of Parliament. The House of Commons had been now for nine years a complaisant and confiding body, and the cry of reform from those who were formerly the loudest and most active was heard no more. Reform

was then the only thing that could save the Constitution: the very sound of reform was now pregnant with the most imminent and gigantic danger. When that House of Commons resisted the influence of the Court, they were told that they were not the representatives of the people, and that they were not so chosen as they ought to be. The people felt that the charge was true in part, and were easily induced to give credit to the whole. Had that House of Commons been chosen in a less objectionable manner, had the people considered them as their representatives, could they have been so contemptuously treated and so ignominiously dismissed as they were? No; the people would have seen that the cause of their representatives was the same with their own: they would have given them their confidence and their support. But, it was said, a House of Commons so chosen as to be a complete representative of the People, would be too powerful for the House of Lords, and even for the King: they would abolish the one, and dismiss the other. If the King and the House of Lords were unnecessary and useless branches of the Constitution, let them be dismissed and abolished; for the people were not made for them, but they for the people. If, on the contrary, the King and the House of Lords were felt and believed by the people, as he was confident they were, to be not only useful but essential parts of the Constitution, a House of Commons, freely chosen by, and speaking the sentiments of, the people, would cherish and protect both within the bounds which the Constitution had assigned them. In the Russian armament, what had been the mode of proceeding? The Minister thought proper to arm against Russia, and the House of Commons was called upon to vote the supplies. Were they allowed to inquire into the necessity of that armament, or to judge of its propriety? No; they were told that to Ministers it belonged to judge, and to them to confide; and on this implicit confidence they voted the sums demanded of them. In the mean time, the people shewed their disapprobation of a war with Russia; the Minister adopted their sentiments; called on the House of Commons to agree with him in this change of opinion, and the House acquiesced. He would neither allow the House of Commons to judge in the first instance, nor, through him, look for the opinion of the people in the second.

He was to collect the opinion of the people, and tell those who ought to be their representatives, and the organs of their sentiments, what that opinion was. The lesson thus held out to every man in the House was this—"If you look for honour or for power, you must take care to conciliate the advisers of the Crown by a ready subserviency to whatever they require. If you presume to counteract them, you may enjoy the consciousness of serving the public without hope or reward; but from power and situation, from all the fair objects of honourable ambition, you are for ever excluded."

Having thus shewn that the House of Commons, as now constituted, was neither adequate to the due discharge of its duties at present, nor afforded any security that it would be so in future, what remained for him to answer but general topics of declamation? He had sufficient confidence in the maxims he had early learned, and sufficient reverence for the authors from whom he learned them, to brave the ridicule now attempted to be thrown upon all who avowed opinions that till very lately had been received as the fundamental principles of liberty. He was ready to say with Locke, that government originated not only *for*, but *from* the people, and that the people were the legitimate sovereign in every community. If such writings as were now branded as subversive of all government had not been read and studied, would the Parliament of 1640 have done those great and glorious things, but for which we might have been now receiving the mandates of a despot, like Germans, or any other slaves. A noble Lord (Mornington) had discovered that Rousseau, in his Social Contract, had said a very extravagant thing. He was not very well qualified to judge, for he had found the beginning of the Social Contract extravagant, that he could not read it through; but he believed it was one of the most extravagant of that author's works. He did not mean to say that the noble Lord had produced an extravagant saying from Rousseau as a novelty; but it was somewhat remarkable that an extravagant thing, from the most extravagant work of an extravagant foreign author, should be produced as an argument against a reform in the representation of the people of Great Britain. Reverence for antiquity was then appealed to, and gentlemen were asked if they would consent to alter that which in former times had

been productive of such important acquisitions of liberty. With equal propriety our ancestors might have been asked if they would alter that Constitution under which so great an acquisition to liberty as Magna Charta had been obtained ; and yet, after the acquisition of Magna Charta, the condition of this country had been such as was rather to be execrated and detested, than cherished and admired. When gentlemen talked of the danger of rash innovation, and the great advantages of temperate and slow reform, they might find all they had to say anticipated in a much more pleasant treatise than any of their speeches, viz. the Tale of a Tub, where brother Jack's tearing off the lace points and embroidery from his coat, at the hazard of reducing the coat itself to tatters, and brother Martin's cautiously picking up stitch by stitch, exhibited an abstract of all their arguments on the subject. The septennial act, in the opinion of many, had been the means of preserving the House of Brunswick on the throne. But had such a House of Commons as the present been then in being, what would have become of the House of Brunswick and the Protestant succession ? " What ! " they would have said, " adopt so violent an innovation as septennial instead of triennial Parliaments ; do you mean to subvert the whole fabric of the Constitution ? Triennial Parliaments were sanctioned at the glorious epoch of the Revolution ; to triennial Parliaments we owe all the prosperity, all the glory of the reigns of King William and Queen Mary ; to triennial Parliaments are we indebted for the victory of Blenheim."—As rationally might they have said, that to triennial Parliaments they were indebted for the victory of Blenheim, as it might be now said, that to the right of Old Sarum to send Members to Parliament we were indebted for our annual exports being increased seven millions. If to such sources as these national prosperity was to be traced ; if for the essence of our Constitution we were to repair to a cottage on Salisbury Plain ; or, for the sake of antiquity more reverend, let us take Stonehenge for Old Sarum ; then might we undertake pilgrimages to the sacred shrine, and tell each admiring stranger, " Look not for the causes of our saved condition in the system of our government and laws ;

here resides the hallowed deposit of all the happiness we enjoy ; but if you move one of these rugged stones from another, the British Constitution is thrown from its basis and levelled with the dust."—A right honourable friend of his [Mr. Windham was Chairman of the Downton Committee] had been lately employed for many weary days in examining the divisions of burgage tenures, to be found in a trench at Downton. Had it occurred to him, that in this trench he was searching for the most essential principles of the Constitution, the investigation would have been somewhat less irksome, the labour somewhat less fastidious.

The petition presented facts into which the House was bound to inquire, both in its legislative and its inquisitorial capacity. In the petition it was affirmed, that Peers nominated Members to seats in the House ; and they had a standing order, that no Peer should interfere in elections. In the petition it was asserted, that bribery and corruption were openly practised at elections ; and they had a standing order against bribery and corruption. Let those facts be inquired into, or these idle denunciations be expunged from their Journals. A Select Committee had reported bribery against certain electors of Stockbridge ; and a bill of pains and penalties, which had been founded on that report, had been rejected. He was not sorry for it : he wished not to see a poor man punished for selling his vote, while the sale of seats was connived at. The corruption of an individual voter was undoubtedly an evil, but small in comparison of the mischievous effects which the sale of seats must produce on the minds of the sellers and the buyers, while both of them knew that it was contrary to law. Let the House inquire and put a stop to such practices, or avow their expediency and repeal the laws that made them criminal.

The lateness of the hour, the clearness of the cause, and the danger of rejecting the motion, rendered it unnecessary for him to insist farther upon it. One word only with respect to the time. It was triumphantly said, by gentlemen on the other side, that ninety-nine out of every hundred of the people of England were well affected to the Constitution, and he believed that they were right. Where then was

the danger of inquiring into the defects of the Constitution with a view of correcting them? Could they hope for some golden period, in which the proportion of the ill-affected would be less than as one to ninety-nine? The objection to the time was therefore a fallacy, a mere pretext for putting off what the House could not help seeing to be necessary, but felt unwilling to begin. This manner of postponing, on the most frivolous pretences, what could not be denied to be fit, was more properly the object of ridicule than of argument: the time must come when the House would be unable to disguise, even from themselves, the necessity of inquiring into the state of the representation; and then too, perhaps, they might give room for a new application of the poet's railery on an individual ———

“ Let that be wrought which Mat doth say :

Yea, quoth the Erle, but not to-day.”

Mr. WINDHAM said a few words in explanation.

Several Members rose to speak, but the House calling loudly for the question, it was put, and the House divided ;

For referring the petition to a Committee, 41

Against it, ——— ——— ——— 282.

The House adjourned.

LIST of the MINORITY on Mr. GREY's Motion for a  
REFORM in PARLIAMENT.

Right Hon. C. J. Fox	W. H. LAMBTON
CHARLES GREY	JOSEPH JEYKYLL
M. A. TAYLOR	Sir W. LEMON, Bart.
P. FRANCIS	St. A. St. JOHN
J. WHARTON	W. LEE ANTOINE
Hon. T. ERSKINE	W. C. SHAW
Lord R. SPENCER	EDWARD BOUVIER
R. H. Col. FITZPATRICK	GEORGE BYNG
T. THOMPSON	Lord J. RUSSELL
W. BAKER	CLEMENT TAYLOR
J. C. CURWEN	Sir. J. JERVIS, K. B.
D. NORTH	Colonel MACLEOD
J. COURTENAY	THOMAS WHITMORE
Lord WYECOMBE	W. PLUMER
BENJAMIN VAUGHAN	JOHN HARRISON
J. R. BORCH	Sir H. FETHERSTON-
R. MILBANK	HAUGH
W. COLHOUN	J. G. PHILIPPS
CHARLES STURT	F. HONEYWOOD
THOMAS C. WESTERN	
J. B. CHURCH	<i>Tellers.</i>
JAMES MARTIN	R. B. SHERIDAN
W. SMITH	S. WHITBREAD, Jun.



The following is an authentic Copy of the Petition, praying for a Reform in Parliament, presented to the House by Mr. Grey :

*To the Honourable the Commons of Great Britain, in  
Parliament assembled;*

The humble Petition, &c. sheweth,

THAT, by the form and spirit of the British Constitution, the King is vested with the sole executive power.

That the House of Lords consists of Lords Spiritual and Temporal, deriving their titles and consequence either from the Crown, or from hereditary privileges.

That these two powers, if they acted without control, would form either a despotic monarchy, or a dangerous oligarchy.

That the wisdom of our ancestors hath contrived that these authorities may be rendered not only harmless, but beneficial, and be exercised for the security and happiness of the people.

That this security and happiness are to be looked for in the introduction of a third estate, distinct from, and a check upon, the other two branches of the Legislature; created by, representing, and responsible to, the people themselves.

That so much depending upon the preservation of this third estate, in such its constitutional purity and strength, your petitioners are reasonably jealous of whatever may appear to vitiate the one or to impair the other.

That at the present day the House of Commons does not fully and fairly represent the people of England, which, consistently with what your petitioners conceive to be the principles of the Constitution, they consider as a grievance, and therefore, with all becoming respect, lay their complaints before your honourable House.

That though the terms in which your petitioners state their grievance may be looked upon as strong, yet your honourable House is entreated to believe that no expression is made use of for the purpose of offence.

Your petitioners in affirming that your honourable House is not an adequate representation of the people of England, do but state a fact, which, if the word "representation" be accepted in its fair and obvious sense, they are ready to prove, and which they think detrimental to their interests, and contrary to the spirit of the Constitution.

How far this inadequate representation is prejudicial to their interests, your petitioners apprehend they may be allowed to decide for themselves; but how far it is contrary to the spirit of the Constitution, they refer to the consideration of your honourable House.

If your honourable House shall be pleased to determine that the people of England ought not to be fully represented, your petitioners pray that such your determination may be made known, to the end that the people may be apprized of their real situation; but if your honourable House shall conceive that the people are already fully represented, then your petitioners beg leave to call your attention to the following facts:

Your petitioners complain, that the number of representatives assigned to the different counties is grossly disproportioned to their comparative extent, population, and trade.

Your petitioners complain, that the elective franchise is so partially and unequally distributed, and is in so many instances committed to bodies of men of such very limited numbers, that the Majority of your honourable House is elected by less than fifteen thousand electors, which, even if the male adults in the kingdom be estimated at so low a number as three millions, is not more than the two hundredth part of the people to be represented.

Your petitioners complain, that the right of voting is regulated by no uniform or rational principle.

Your petitioners complain, that the exercise of the elective franchise is only renewed once in seven years.

Your petitioners thus distinctly state the subject matter of their complaints, that your honourable House may be convinced that they are acting from no spirit of general discontent, and that you may with the more ease be enabled to inquire into the facts, and to apply the remedy.

For the evidence in support of the first complaint, your petitioners refer to the return book of your honourable House.—Is it fitting, that Rutland and Yorkshire should bear an equal rank in the scale of county representation; or can it be right, that Cornwall alone should, by its extravagant proportion of borough Members, outnumber not only the representatives of Yorkshire and Rutland together, but of Middlesex added to them? Or, if a distinction be taken between the landed and the trading interests, must it not appear monstrous that Cornwall and Wiltshire should send more borough Members to Parliament, than Yorkshire, Lancashire, Warwickshire, Middlesex, Worcestershire, and Somersetshire united? and that the total representation of all Scotland should but exceed by one

Member, the number returned for a single county in England?

The second complaint of your petitioners, is founded on the unequal proportions in which the elective franchise is distributed, and in support of it,

They affirm, that seventy of your honourable Members are returned by thirty-five places, where the right of voting is vested in burgage and other tenures of a similar description, and in which it would be to trifle with the patience of your honourable House, to mention any number of voters whatever, the elections at the places alluded to being notoriously a mere matter of form. And this your petitioners are ready to prove.

They affirm, that in addition to the seventy honourable Members so chosen, ninety more of your honourable Members are elected by forty-six places, in none of which the number of voters exceeds fifty. And this your petitioners are ready to prove.

They affirm, that in addition to the hundred and sixty so elected, thirty-seven more of your honourable Members are elected by nineteen places, in none of which the number of voters exceeds one hundred. And this your petitioners are ready to prove.

They affirm, that in addition to the hundred and ninety-seven honourable Members so chosen, fifty-two more are returned to serve in Parliament by twenty-six places, in none of which the number of voters exceeds two hundred. And this your petitioners are ready to prove.

They affirm, that in addition to the two hundred and forty-nine so elected, twenty more are returned to serve in Parliament for counties in Scotland, by less than one hundred electors each, and ten for counties in Scotland by less than two hundred and fifty each. And this your petitioners are ready to prove, even admitting the validity of fictitious votes.

They affirm, that in addition to the two hundred and seventy-nine so elected, thirteen districts of burghs of Scotland, not containing one hundred voters each, and two districts of burghs, not containing one hundred and twenty-five each, return fifteen more honourable Members. And this your petitioners are ready to prove.

And in this manner, according to the present state of the representation, two hundred and ninety-four of your honourable Members are chosen, and, being a majority of the entire House of Commons, are enabled to decide all questions in the name of the whole people of England and Scotland.

The third complaint of your petitioners is founded on the present complicated rights of voting. From the caprice

with which they have been varied, and the obscurity in which they have become involved by time and contradictory decisions, they are become a source of infinite confusion, litigation, and expence.

Your petitioners need not tender any evidence of the inconveniences which arise from this defect in the representation, because the proof is to be found in your Journals, and the minutes of the different Committees who have been appointed under the 10th and 11th of the King. Your honourable House is but too well acquainted with the tedious, intricate, and expensive scenes of litigation which have been brought before you, in attempting to settle the legal import of those numerous distinctions which perplex and confound the present rights of voting. How many months of your valuable time have been waited in listening to the wrangling of lawyers upon the various species of burgagehold, leasehold, and freehold! How many Committees have been occupied in investigating the nature of scot and lot, potwallers, commonalty, populacy, resiant inhabitants, and inhabitants at large! What labour and research have been employed in endeavouring to ascertain the legal claims of borough-men, aldermen, port-men, select-men, burgesses, and council-men! And what confusion has arisen from the complicated operation of clashing charters, from freemen resident and non-resident, and from the different modes of obtaining the freedom of corporations by birth, by servitude, by marriage, by redemption, by election, and by purchase! On all these points it is, however, needless for your petitioners to enlarge, when your honourable House collects the following facts; namely, that since the twenty-second of December, 1790, no less than twenty-one Committees have been employed in deciding upon litigated rights of voting. Of these, eight were occupied with the disputes of three boroughs, and there are petitions from four places yet remaining before your honourable House, waiting for a final decision to inform the electors what their rights really are.

But the complaint of your petitioners on the subject of the want of an uniform and equitable principle in regulating the right of voting, extends as well to the arbitrary manner in which some are excluded, as to the intricate qualifications by which others are admitted to the exercise of that privilege.

Religious opinions create an incapacity to vote. All Papists are excluded generally, and, by the operation of the Test Laws, Protestant Dissenters are deprived of a voice in the election of representatives in about thirty boroughs, where the right of voting is confined to corporate officers

alone; a deprivation the more unjustifiable, because, though considered as unworthy to vote, they are deemed capable of being elected, and may be the representatives of the very places for which they are disqualified from being the electors.

A man possessed of one thousand pounds per annum, or any other sum, arising from copyhold, leasehold for ninety-nine years, trade, property in the public funds, or even freehold in the city of London, and many other cities and towns having peculiar jurisdictions, is not thereby entitled to vote. Here again a strange distinction is taken between electing and representing, as a copyhold is a sufficient qualification to sit in your honourable House.

A man paying taxes to any amount, how great soever, for his domestic establishment, does not thereby obtain a right to vote, unless his residence be in some borough where that right is vested in the inhabitants. This exception operates in sixty places, of which twenty eight do not contain three hundred voters each, and the number of householders in England and Wales (exclusive of Scotland,) who pay all taxes, is 714,911, and of householders who pay all taxes, but the House and window taxes, is 284,459, as appears by a return made to your honourable House in 1785; so that, even supposing the sixty places above mentioned to contain, one with another, one thousand voters in each, there will remain 939,370 householders who have no voice in the representation, unless they have obtained it by accident or by purchase. Neither their contributions to the public burdens, their peaceable demeanor as good subjects, nor their general respectability and merits as useful citizens, afford them, as the law now stands, the smallest pretensions to participate in the choice of those who, under the name of their representatives, may dispose of their fortunes and liberties.

In Scotland, the grievance arising from the nature of the rights of voting, has a different and still more intolerable operation. In that great and populous division of the kingdom, not only the great mass of the householders, but of the landholders also, are excluded from all participation in the choice of representatives. By the remains of the feudal system in the counties, the vote is severed from the land, and attached to what is called the superiority. In other words, it is taken from the substance, and transferred to the shadow, because, though each of these superiorities must, with very few exceptions, arise from lands of the present annual value of four hundred pounds sterling, yet it is not necessary that the lands should do more than give a name to the superiority, the possessor of which may retain the right

of voting notwithstanding he be divested of the property. And on the other hand, great landholders have the means afforded them by the same system, of adding to their influence, without expence to themselves, by communicating to their confidential friends the privilege of electing Members to serve in Parliament. The process by which this operation is performed is simple. He who wishes to increase the number of his dependent votes, surrenders his charter to the Crown, and, parcelling out his estate into as many lots of four hundred pounds per annum, as may be convenient, conveys them to such as he can confide in. To these, new charters are, upon application, granted by the Crown, so as to erect each of them into a superiority, which privilege once obtained, the land itself is reconveyed to the original grantor; and thus the representatives of the landed interest in Scotland may be chosen by those who have no real or beneficial interest in the land.

Such is the situation in which the counties of Scotland are placed. With respect to the burghs, every thing that bears even the semblance of popular choice, has long been done away. The election of Members to serve in Parliament is vested in the Magistrates and Town Councils, who, having by various innovations, constituted themselves into self-elected bodies, instead of Officers freely chosen by the inhabitants at large, have deprived the People of all participation in that privilege, the free exercise of which affords the only security they can possess for the protection of their liberties and property.

The fourth and last complaint of your petitioners is the length of the duration of Parliaments. Your honourable House knows, that by the ancient laws and statutes of this kingdom frequent Parliaments ought to be held; and that the sixth of William and Mary, c. 2. (since repealed) speaking while the spirit of the Revolution was yet warm, declared, that "frequent and new Parliaments tend very much to the happy union and good agreement between King and People;" and enacted, that no Parliament should last longer than three years. Your petitioners, without presuming to add to such an authority by any observations of their own, humbly pray that Parliaments may not be continued for seven years.

Your petitioners have thus laid before you the specific grounds of complaint, from which they conceive every evil in the representation to spring, and on which they think every abuse and inconvenience is founded.

What those abuses are, and how great that inconvenience is, it becomes your petitioners to state, as the best means of justifying their present application to your honourable House.

Your petitioners then affirm, that from the combined operation of the defects they have pointed out, arise those scenes of confusion, litigation, and expence which so disgrace the name, and that extensive system of private patronage which is so repugnant to the spirit of free representation.

Your petitioners intreat of your honourable House to consider the manner in which elections are conducted, and to reflect upon the extreme inconvenience to which electors are exposed, and the intolerable expence to which candidates are subjected.

Your honourable House knows that tumults, disorders, outrages, and perjury, are too often the dreadful attendants on contested elections as at this time carried on.

Your honourable House knows that polls are only taken in one fixed place for each county, city, and borough, whether the number of voters be ten or ten thousand, and whether they be resident or dispersed over England.

Your honourable House knows that polls, however few the electors, may by law be continued for fifteen days, and even then be subjected to a scrutiny.

Your honourable House knows that the management and conduct of polls is committed to returning officers, who, from the very nature of the proceedings, must be invested with extensive and discretionary powers, and who, it appears by every volume of your Journals, have but too often exercised those powers with the most gross partiality and the most scandalous corruption.

Of elections arranged with such little regard to the accommodation of the parties, acknowledged to require such a length of time to complete, and trusted to the superintendence of such suspicious agents, your petitioners might easily draw out a detail of the expence. But it is unnecessary. The fact is too notorious to require proof, that scarce an instance can be produced where a Member has obtained a disputed seat in Parliament at a less cost than from two to five thousand pounds; particular cases are not wanting where ten times these sums have been paid; but it is sufficient for your petitioners to affirm, and to be able to prove it if denied, that, such is the expence of a contested return, that he who should become a candidate with even greater funds than the law requires him to swear to as his qualification to sit in your honourable House, must either relinquish his pretensions on the appearance of an opposition, or so reduce his fortune in the contest, that he could not take his seat without perjury.

The revision of the original polls before the Committees of your honourable House, upon appeals from the decisions of the returning officers, affords a fresh source of vexation and expence to all parties. Your honourable House knows,

that the complicated rights of voting, and the shameful practices which disgrace election proceedings, have so loaded your table with petitions for judgement and redress, that one half of the usual duration of a Parliament has scarcely been sufficient to settle who is entitled to sit for the other half; and it was not till within the last two months that your honourable House had an opportunity of discovering, that the two gentlemen who sat and voted near three years as the representatives of the Borough of Stockbridge, had procured themselves to be elected by the most scandalous bribery, and that the two gentlemen, who sat and voted during as long a period for the Borough of Great Grimsby, had not been elected at all.

In truth, all the mischiefs of the present system of representation are ascertained by the difficulties which even the zeal and wisdom of your honourable House experiences in attending to the variety of complaints brought before you. Though your Committees sit five hours every day from the time of their appointment, they generally are unable to come to a decision in less than a fortnight, and very frequently are detained from thirty to forty days. The Westminster case in 1789, will even furnish your honourable House with an instance, where, after deliberating forty-five days, a Committee gravely resolved, that, "from an attentive consideration of the circumstances relating to the cause, a final decision of the business before them could not take place in the course of the session, and that not improbably the whole of the Parliament" (having at that time near two years longer to sit) "might be consumed in a tedious and expensive litigation;" and they recommended it to the petitioners to withdraw their petition, which, after a fruitless perseverance of above three months, they were actually obliged to submit to.

Your petitioners will only upon this subject further add, that the expence to each of the parties, who have been either plaintiff or defendant in petitions tried before your honourable House in the present session, has, upon an average, amounted to above one hundred pounds per day; and that the Attornies' bills in one cause, the trial of which in point of form only lasted two days, and in point of fact only six hours, amounted to very near twelve hundred pounds. And this your petitioners are ready to prove.

Your petitioners must now beg leave to call the attention of your honourable House to the greatest evil produced by these defects in the representation of which they complain, namely, the extent of private Parliamentary patronage; an abuse which obviously tends to exclude the great mass of the people from any substantial influence in the election of



the House of Commons, and which, in its progress, threatens to usurp the sovereignty of the country, to the equal danger of the King, of the Lords, and of the Commons.

The patronage of which your petitioners complain, is of two kinds: That which arises from the unequal distribution of the elective franchise, and the peculiar rights of voting by which certain places return Members to serve in Parliaments; and that which arises from the expence attending contested elections, and the consequent degree of power acquired by wealth.

By these two means, a weight of parliamentary influence has been obtained by certain individuals, forbidden by the spirit of the laws, and in its consequences most dangerous to the liberties of the people of Great Britain.

The operation of the first species of patronage is direct, and subject to positive proof. *Eighty-four* individuals do by their own immediate authority send *one hundred and fifty-seven* of your honourable Members to Parliament. And this your petitioners are ready, if the fact be disputed, to prove, and to name the Members and the Patrons.

The second species of patronage cannot be shewn with equal accuracy, though it is felt with equal force.

Your petitioners are convinced, that, in addition to the *one hundred and fifty-seven* honourable Members above mentioned, *one hundred and fifty* more, making in the whole *three hundred and seven*, are returned to your honourable House, not by the collected voice of those whom they appear to represent, but by the recommendation of seventy powerful individuals, added to the *eighty-four* before mentioned, and making the total number of patrons altogether only *one hundred and fifty-four*, who return a decided majority of your honourable House.

If your honourable House will accept as evidence the common report and general belief of the counties, cities, and boroughs, which return the Members alluded to, your petitioners are ready to name them, and to prove the fact; or if the Members in question can be made parties to the inquiry, your petitioners will name them, and be governed by the testimony which they themselves shall publicly give.—But if neither of these proofs be thought consistent with the proceedings of your honourable House, then your petitioners can only assert their belief of the fact, which they hereby do in the most solemn manner, and on the most deliberate conviction.

Your petitioners entreat your honourable House to believe, that in complaining of this species of influence, it is not their intention or desire to decry or to condemn that just and natural attachment which they, who are enabled by their for-

tune, and inclined by their disposition, to apply great means to honourable and benevolent ends, will always insure to themselves. What your petitioners complain of is, that property, whether well or ill employed, has equal power; that the present system of representation gives to it a degree of weight which renders it independent of character; enables it to excite fear as well as procure respect, and confines the choice of electors within the ranks of opulence; because, though it cannot make riches the sole object of their affection and confidence, it can and does throw obstacles, almost insurmountable, in the way of every man who is not rich, and thereby secures to a select few the capability of becoming candidates themselves, or supporting the pretensions of others. Of this your petitioners complain loudly, because they conceive it to be highly unjust, that, while the language of the law requires from a Candidate no greater estate, as a qualification, than a few hundred pounds per annum, the operation of the law should disqualify every man whose rental is not extended to thousands; and that, at the same time that the Legislature appears to give the Electors a choice from amongst those who possess a moderate and independent competence, it should virtually compel them to chuse from amongst those who themselves abound in wealth, or are supported by the wealth of others.

Your petitioners are the more alarmed at the progress of private patronage, because it is rapidly leading to consequences which menace the very existence of the Constitution.

At the commencement of every session of Parliament, your honourable House acting up to the laudable jealousy of your predecessors, and speaking the pure, constitutional language of a British House of Commons, resolve, as appears by your journals, "That no Peer of this realm hath any right to give his vote in the Election of any Member to serve in Parliament;" and also, "That it is a high infringement upon the liberties and privileges of the Commons of Great Britain, for any Lord of Parliament, or any Lord Lieutenant of any county, to concern themselves in the Elections of Members to serve for the Commons in Parliament."

Your petitioners inform your honourable House, and are ready to prove it at your bar, that they have the most reasonable grounds to suspect that no less than *one hundred and fifty* of your honourable Members owe their elections entirely to the interference of Peers; and your petitioners are prepared to shew by legal evidence, that forty Peers, in defiance of your resolutions, have possessed themselves of so many burgage tenures, and obtained such an absolute and uncontrolled command in very many small boroughs in the king-

dom, as to be enabled by their own positive authority to return *eighty-one* of your honourable Members.

Your petitioners will, however, urge this grievance of the interference of Peers in elections no farther, because they are satisfied that it is unnecessary. Numbers of your honourable Members must individually have known the fact, but collectively your honourable House has undoubtedly been a stranger to it. It is now brought before you by those who tender evidence of the truth of what they assert, and they conceive it would be improper in them to ask that by petition, which must be looked for as the certain result of your own honourable attachment to your own liberties and privileges.

Your petitioners have thus laid before your honourable House, what the mischiefs are which arise from the present state of the representation, and what they conceive to be the grounds of those mischiefs, and therefore pray to have removed.

They now humbly beg leave to offer their reasons, why they are anxious that some remedy should be immediately applied.

Your petitioners trust they may be allowed to state, because they are ready to prove, that seats in your honourable House are sought for at a most extravagant and increasing rate of expence.

What can have so much augmented the ambition to sit in your honourable House, your petitioners do not presume actually to have discovered; but the means taken by Candidates to obtain, and by Electors to bestow, that honour, evidently appear to have been increasing in a progressive degree of fraud and corruption. Your petitioners are induced to make this assertion, by the Legislature having found it necessary, during the last and present reigns, so much to swell the Statute Book with laws for the prevention of those offences.

As far as conjecture can lead your petitioners, they must suppose, that the increased National debt, and the consequent increase of influence, are the causes of the increased eagerness of individuals to become Members of the House of Commons, and of their indifference as to the means used to gratify their speculations. To prove that they do not state this wantonly, or without substantial grounds, they humbly beg to call your attention to the following table, all the vouchers for which are to be found in the journals of your honourable House, or in different acts of Parliament.

At the Revolution	$\left\{ \begin{array}{l} \text{The Public Revenue} \\ \text{did not exceed} \end{array} \right\}$	£. 2,100,000	$\left\{ \begin{array}{l} \text{The Peace Establish-} \\ \text{ment had not ex-} \\ \text{ceeded} \end{array} \right\}$	£. 1,900,000	$\left\{ \begin{array}{l} \text{The number of Statutes} \\ \text{found necessary to preserve} \\ \text{the freedom and indepen-} \\ \text{dence of Parliament, to re-} \\ \text{gulate Elections, and to} \\ \text{prevent frauds, bribery, \&c.} \\ \text{amounted only to} \end{array} \right\}$	14
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At the death of William III.	$\left\{ \begin{array}{l} \text{The Public Revenue} \\ \text{had increased to a-} \\ \text{bout} \end{array} \right\}$	3,950,000	$\left\{ \begin{array}{l} \text{The Peace Establish-} \\ \text{ment had increased} \\ \text{about} \end{array} \right\}$	1,950,000	$\left\{ \begin{array}{l} \text{The number of Statutes} \\ \text{found necessary to preserve} \\ \text{the freedom of Parliament,} \\ \text{to prevent bribery, \&c. in-} \\ \text{creased to} \end{array} \right\}$	26
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At the death of Queen Anne.	$\left\{ \begin{array}{l} \text{The Public Revenue} \\ \text{had increased to a-} \\ \text{bout} \end{array} \right\}$	6,000,000	$\left\{ \begin{array}{l} \text{The Peace Establish-} \\ \text{ment had increased} \\ \text{to about} \end{array} \right\}$	2,000,000	$\left\{ \begin{array}{l} \text{The number of Statutes} \\ \text{found necessary to preserve} \\ \text{the freedom of Parliament,} \\ \text{to prevent bribery, \&c. in-} \\ \text{creased to} \end{array} \right\}$	35
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At the death of George I.	{ The Public Revenue had increased to a- bout - - - - -	{ 6,800,000	{ The Peace Establish- ment had increased to about - - -	{ 2,600,000	{ The number of Statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. in- creased to - - -	{ 37
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At the death of George II.	{ The Public Revenue had increased to a- bout - - - - -	{ 8,600,000	{ The Peace Establish- ment had increased to about - - -	{ 2,800,000	{ The number of Statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. in- creased to - - -	{ 49
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In the 31st year of the reign of his present Majesty	{ The Public Revenue had increased to a- bove - - - - -	{ 16,000,000	{ The Peace Establish- ment had increased to above - - -	{ 5,000,000	{ The number of Statutes found necessary to preserve the freedom of Parliament, to prevent bribery, &c. in- creased to - - -	{ 65
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It is upon this evidence of the increase of taxes, establishments, and influence, and the increase of laws found necessary to repel the increasing attacks upon the purity and freedom of elections, that your petitioners conceive it high time to inquire into the premises.

Your petitioners are confident that in what they have stated, they are supported by the evidence of facts, and they trust that, in conveying those facts to your honourable House, they have not been betrayed into the language of reproach, or disrespect. Anxious to preserve in its purity a Constitution they love and admire, they have thought it their duty to lay before you, not general speculations deduced from theoretical opinions, but positive truths, susceptible of direct proof; and if in the performance of this task, they have been obliged to call your attention to assertions which you have not been accustomed to hear, and which they lament that they are compelled to make, they intreat the indulgence of your honourable House.

Your petitioners will only further trespass upon your time, while they recapitulate the objects of their prayer, which are,

That your honourable House will be pleased to take such measures, as to your wisdom may seem meet, to remove the evils arising from the unequal manner in which the different parts of the kingdom are admitted to participate in the representation.

To correct the partial distribution of the elective franchise, which commits the choice of representatives to select bodies of men of such limited numbers as renders them an easy prey to the artful, or a ready purchase to the wealthy.

To regulate the right of voting upon an uniform and equitable principle.

And finally, to shorten the duration of Parliaments, and by removing the causes of that confusion, litigation, and expence, with which they are at this day conducted, to render frequent and new elections, what our ancestors at the revolution asserted them to be, the means of a happy union and good agreement between the King and People.

*And your Petitioners shall ever pray.*

*Wednesday, 8th May.*

Mr. ROSE brought up the report of the Committee of the whole House on the trade and Government of India. The resolutions were read and agreed to, and a bill or bills was ordered to be brought in pursuant to the resolutions.

Mr. WHARTON gave notice, that on Thursday fortnight he should move for a Committee, to inquire what was the Constitution of this country as established at the revolution, how much of it remained to us at this day, and what are the proper means of restoring it to its original purity.

The House adjourned.

*Thursday, 9th May.*

Bills were brought in in pursuance of the resolutions of the Committee of the whole House upon the Government and trade of India. These bills were read a first time; and after a short conversation between Mr. Secretary Dundas and Mr. Fox, they were ordered to be read a second time to-morrow.

Mr. GREY said, he should state to gentlemen on the other side of the House certain circumstances which, in his opinion, deserved their most serious attention; although, at the present moment he had nothing to move upon them himself. The subject to which he alluded was the practice of impressing seamen into the service of the navy of this country; upon the legality or illegality of that practice he should say nothing at the present moment, because whatever opinion he might have upon that question, he had no doubt of the necessity of the practice at this time; he must however say, that he hoped some remedy would hereafter be found to the general evil that resulted from that practice, for to say the best of it, and after all the consideration that could be given to the necessity on which it was founded, it was a practice utterly repugnant to the general principles of a free Constitution. Having made these general observations, he came now to specify the facts on which he solicited the attention of the House. On the morning of Saturday the 26th of April last, the town of Shields was surrounded by the military, the inhabitants were overawed, and a press gang appeared; they entered not only public but also private houses, and conducted themselves with such violence as to be

come the general terror of the whole town. In one house they entered the chamber of a person by force, and at another took seven women naked out of bed, thrust their bayonets into closets, under beds, and many other places, under pretence of authority for searching for seamen for the service of His Majesty's navy. Of these things he had general information by letter; but not chusing to say any thing upon vague authority, he wrote to a gentleman in the town, who was one of his constituents, and the answer he received confirmed the former information. He said, that he did not mention this with a view to insinuate that any of His Majesty's Ministers ever had, or ever would, countenance such scandalous proceedings; but that they should take steps to inform themselves upon the subject, and to give directions to officers who may be employed in that service, to take care not to forget that an Englishman's house is his castle, and not to disgust the people with unnecessary acts of violence, under pretence of the public necessity.

Mr. BRANDLING said he had not heard of any of the disturbances to which the honourable gentleman alluded; he was inclined to suspect that these accounts had been a little exaggerated.

Mr. SMITH stated that he had a letter from Shields, giving an account of many persons being impressed, but, on their being taken before the regulating Captain, they were discharged; the letter stated nothing of the violent proceedings to which the honourable gentleman alluded. But certainly, as the case had been stated, inquiry should be made into the subject, and if it should be found that any persons had so misconducted themselves, they should be brought to punishment.

Mr. LAMBTON said, he had a letter from the town of Shields to the same effect as that mentioned by his honourable friend, Mr. Grey.

The business then ended with an understanding that an inquiry should take place from the proper offices, and means be taken to discourage such outrages in future.

Mr. WHITBREAD moved, "That the proclamation of the King, dated the 20th of February last, be read." It relates to the prohibiting certain persons then on board His Majesty's packet from Calais, from landing at Dover, until His Majesty's farther orders. The proclamation being read,



Mr. Whitbread said, he had the satisfaction of thinking it would not be necessary for him to detain the House with observations of any considerable length upon this subject ; but before he stated the facts upon which he should ground the form of his proceeding, he begged leave to make a few remarks upon the paper now upon the table, and which the House had just heard read. It was a measure in its nature so unconstitutional and tyrannical, that it could be exceeded, in impropriety, only by the manner in which it had been carried into execution.— There was no person in that House, or in this country, more unwilling to consent to the abridgement of the just prerogatives of the Crown than himself, or more eager to preserve them in their full extent ; but he thought there could be no prerogative that gave authority for the exercise of that proclamation ; or if there was, such a power should be seriously considered ; for he held it to be an indisputable point in the constitution of this country, that no prerogative should be held by the Crown, except such as conduced to the happiness of the people. Lately, however, in the course of a debate upon one of the clauses of the Traitorous Correspondence bill, (a clause, which Ministers became so ashamed of, that they abandoned the discussion of it, and gave it up) one of the law officers of the Crown (the Solicitor General) thought fit to assert, “ That His Majesty had a right to regulate the passage into this kingdom.” To which he begged leave to say, he would answer that His Majesty never had, nor by the constitution of this country can have, any such right—a right to prevent an innocent subject from landing in any of the King’s dominions. But the order in Council, or proclamation, assumed that right, conformably to the opinion of the learned gentleman ; and if that was the case, His Majesty had power, under certain circumstances, to condemn, without any reason, any person he thought fit, to banishment from his native land for ever. A power which His Majesty never had by law, or ever ought to have. He admitted the prerogative of the Crown to lay an embargo upon ships in time of war ; but such a power as that exercised under this order, His Majesty could not have by the law of England, and therefore the act in question was an act of tyranny. Besides the constitutional objections he had stated to this order in Council, he had objections to it in point of policy, and upon the prin-

ciples of justice: it would be impolitic to prevent the landing of innocent individuals, because that act would disgust all honest men who heard of it; it was against the principles of justice, because the Ministers of the executive Power must always in such cases proceed, if they proceeded at all, upon the information of despicable informers, who had their private views of avarice or pique to gratify. Such a power would be as troublesome to the Secretary of State as that which he derived from the Alien bill, and more troublesome in the exercise than any other he had, either as Secretary of State, Treasurer of the Navy, President of the Board of Control, Deputy Keeper of the Signet in Scotland, Joint Patentee of the Theatre Royal in Edinburgh, or Printer of the Holy Bible. Pluralist as the right honourable gentleman was, he had not one office, the exercise of which would be more troublesome, or less profitable to him, than that which he might exercise under the above order in Council. The whole principle of the order Mr. Whitbread maintained to be against the very spirit of the law of England, which was, that every man was presumed to be innocent until he was proved to be guilty. It would be in vain that the constitution had declared that a man should know the nature of the charge to be exhibited against him, when he was to be deprived of his freedom. It would be in vain that the constitution had declared, that no man should be punished without trial, or without being heard in his defence; all these points were violated by the execution of the order in Council, to which he had already alluded. Having made these observations, Mr. Whitbread then came to a statement of the facts on which they arose. It was well known, that some time previous to the proclamation, or order in Council, to which he alluded, the National Convention of France passed a decree, enjoining all Englishmen in France to quit it within eight days, in consequence of which, several Englishmen came to Calais, with a view of embarking for Dover, and in a short time reached that port in the Express packet; but there they were met by certain officers, who asked them whether they had passports from Mr. Dundas, with leave to land in England?—They answered they had not; they were then told, that as that was the case, they should not land; and if they attempted to do so, they would be resisted by force; some of them, how-

ever, by means of a boat, contrived to land at some distance from the port; they were taken by an officer from Bow street, acting under the imperial mandate of Mr. Dundas, and carried on board the packet again, where they, together with the other passengers, were detained for five days, and then discharged by the order of Mr. Dundas. This Mr. Whitbread maintained to be illegal, taken in any point of view. If there was no charge to be exhibited against them, it was illegal of course. If there was a charge exhibited against them, they should have been kept in custody until trial, and therefore their discharge was illegal. These were the facts on which he brought this subject forward; and if there were not some fatality attendant on every thing proposed from that side of the House, he should have had hopes the measure he should propose would be adopted. He meant only to institute an inquiry into the subject; in better times such a measure would have been a matter of course. However, be he victor or vanquished, he fought without fear, as he had an excellent auxiliary, he had the constitution on his side. He did not know whether there were any precedents for this order in Council; if there were, he did not care; for no precedents, however numerous, could sanction a measure so repugnant to all the principles of justice. He could not help observing, however, that at the time our Ministers declaimed so loudly against the unprincipled rapacity, and lawless confiscations of the French Convention, we ourselves followed all the steps of that despotism, on the ruin of which arose the present anarchy which now divided that mighty empire. He wished our Councils to be better directed, in order to avoid similar dangers. He then moved, "That a Committee be appointed to inquire into certain facts, which took place at Dover the latter end of February last, under the authority of an order of Council, bearing date February 20, 1793."

Mr. Secretary DUNDAS set out with saying, that if the proclamation in question was tyrannical and unconstitutional, the original guilt of it ought not to be ascribed to His Majesty's law advisers, for they had copied it from a long chain of precedents established in the best of times. Having premised this, he said it would be fit for gentlemen, before they pronounced the proclamation to be illegal, to consider whether the King had or had not a right to establish packet boats for the

service of the Public, and whether he had or had not a right to declare, that none should land from his vessels so employed, without a passport from one of his Ministers. It was allowed by all nations, that war completely suspended all intercourse between the belligerent powers. This maxim was generally true ; but many modifications had been introduced of late by milder manners, and a more liberal and relaxed policy, by which the horrors of war were softened. One of these was to license certain packet boats for the purpose of carrying mails between two countries at war. Such licensing was only a partial suspension of the interruption of intercourse ; and surely the Crown had a power to annex conditions to that suspension. France had thought proper wholly to interrupt that intercourse ; and the law of nations gave her a right to do so. The King of England would have been justified by the same law in going the same length ; but he was not advised to take such a step, but merely to provide that by keeping the intercourse open on his side, for the benefit of his people, he did not open a door to evils still greater than the interruption of all intercourse whatever. This was the ground of the order of Council ; and surely the King was not only authorized, but bound to consult the general safety of his coasts, by giving directions that no person should be suffered to land from any of his vessels, who was not sufficiently known to be peaceable and well disposed, in which case he should procure a passport from the Secretary of State. Having thus argued upon the principle of the proclamation, he next adverted to the particular case mentioned by the honourable gentleman. The first account, he said, which he received of the transaction, was in a letter from Mr. Bell, commander of the packet, and transmitted to him from the Post Office. Here he read the letter, which stated, that whilst he was on shore at the Post House at Calais, a number of persons, chiefly English, got on board his packet in his absence, and without his knowledge ; that when he returned to his vessel, and found them on board, he desired they would go ashore, for it was not in his power to land them in England, unless they had passports from one of the Secretaries of State ; which it appeared they had not. They refused to quit the ship, and began to weigh the anchor, so that he was obliged to steer the vessel to England. Mr. Dundas, in answer to this letter,

desired that Captain Bell should come to town, to state more particularly the transaction, and give the names and characters of the passengers, as far as he knew them. This was done; and after a due examination, it was signified, at the end of three days, that the British subjects might land, and proceed, without farther molestation, to their respective homes. This, he said, was the plain state of the case; and he trusted that the House, seeing it divested of all exaggeration, would be of opinion that there was nothing in the transaction that was either tyrannical or unconstitutional. The honourable gentleman had said, that if the parties concerned were not guilty of any crime, they ought not to have been detained. To this he would reply, that, *prima facie*, they were guilty of a great crime; they appeared to have taken forcible possession of one of His Majesty's ships, and compelled the commander to disobey the positive orders of his employers. Upon a more minute inquiry, it appeared also, that there were on board some persons of characters so foul and detestable, that they ought not to be suffered in any civilized State whatever: he did not like, he said, to go into the particulars he had received on this head; he believed the House would not desire him to say any more than that there were on board Dr. Maxwell, a Mr. Stone, and two servants of the Duke of Orleans. There were also on board some Englishmen whose conduct in France could not give much satisfaction. To detain these, therefore, until some consultation should be held, was neither illegal nor oppressive. But the honourable gentleman who made the motion, would have it, that if they were properly detained, they ought not to have been dismissed without prosecution and trial. His answer to that was, that His Majesty's Ministers certainly meant to have brought them to trial if they could; and for that purpose all the information they had received relative to the conduct of the passengers in seizing the King's ship, was laid before His Majesty's Advocate, Attorney and Solicitor General, with directions to state their opinion, whether in the transaction there was ground for prosecution; and if there was, what mode of proceeding they would recommend. Their answer was, that there was one circumstance in the case, which would probably be a bar to conviction; and that was, that it did not appear that the Captain of the packet was acquainted with the King's

proclamation, and that it was in obedience to it that he refused to carry them to England. As this opinion shewed that a conviction was not to be expected, and as His Majesty's Ministers would not order a prosecution, when they had reason to believe it would not lead to punishment, they gave directions for setting the parties concerned at liberty. The House, he observed, was now in possession of the grounds both of the detention and dismissal of the individuals in question, and would decide whether Ministers had acted tyrannically in the business, or rather whether they had not discharged their bounden duty to their country. But were he to speak his opinion, the House had nothing to do with the affair; Parliament ought not to interfere, except to redress grievances which were beyond the reach of the ordinary courts of law, or when justice was denied. If, in the present case, any individual felt himself aggrieved, the courts of law were open to him, and he might bring his action, make him (Mr. Dundas) a defendant, and compel him to answer for his conduct before a jury of his country. Hence it would appear, that there was not the smallest ground for the interference of the House. Mr. Dundas adverted to one of the offices which the honourable gentleman had given him, viz. Printer of the Holy Bible. This was an office which, if he possessed, he possessed without knowing it; he had, indeed, heard of it once before, or rather he had read of it in a newspaper which did him the honour very often to take notice of him. As he held no such office, he presumed that those who were so obliging as to say that he did, meant something very jocular and pleasant; if so, he begged the honourable gentleman would be so good-natured as to let him into the meaning of the joke, that he might have the pleasure of joining in the laugh which was attempted to be raised against him.

Mr. WHITBREAD in explanation observed, that he had always understood that the office of Printer of the Holy Bible in Scotland, was an office of considerable emolument, and which the right honourable gentleman possessed, as well as other offices of considerable emolument, but he was sorry he did not possess it. There were, however, instances in which the name of one person appeared to an office, which was, in

reality, possessed by another ; he hoped this was not one of them.

Mr. FRANCIS said, he would not trouble the House with saying any thing upon the legality or illegality of the proclamation ; but he must observe, that the proceedings which took place at Dover, did certainly appear to him extremely severe and tyrannical. It so happened, that about forty Englishmen happened to be at Calais, and were placed in such a situation, from the circumstances existing in France at the time, that they had no other security, than getting on board the packet ; they did so, and when they came to England, some of them were allowed to get ashore, but others were kept rolling about on board the vessel, in the most disgusting situation, and in the very worst kind of imprisonment. It had been said by the right honourable gentleman (Mr. Dundas) that this was a mere private injury—that it ought to be left to the private individuals to prosecute, and was not a fit subject of investigation in that House ; it was his opinion, on the contrary, that it was a most unjust, illegal, and oppressive exercise of power by the Executive Government, and that that House might and ought to take it up as a public measure, and to make it the subject of a Parliamentary inquiry ; on which account, the motion of his honourable friend met with his most entire and hearty concurrence.

Mr. FOX said, that, as he differed in almost every word from the right honourable Secretary (Dundas,) he thought he could not well discharge his duty without troubling the House with some few observations. The right honourable gentleman had said that the proclamation was only such as had been usual on similar occasion, ; for his part, he neither knew nor had ever heard of any such proclamation as the present on any former occasion ; but he wished that those proclamations which were alluded to as precedents had been specified. He was decidedly of opinion that the proclamation was illegal, being completely satisfied that the King has no right to say, that an English subject arriving here, either in a French or English vessel, shall not be permitted to land in his native country. It had been said that all intercourse between the subjects of the two countries must cease, in consequence of the war ; but, admitting this to be the case, and he did not dispute it, what

could be more unjust than this, that persons should be encouraged to carry on trade with France, under the commercial treaty, and happening to be in France, in the course of carrying on their business when the war commenced, they should be prohibited to return? But, supposing, the proclamation legal, it would still remain to be considered, whether it was wise? It appeared to him that it would rather be prudent to encourage all persons to come home. The right honourable gentleman had spoke with great boldness and confidence of the legality and propriety of the proclamation, though his mode of reasoning, with respect to the proceedings which took place, inclined him to believe that he had some diffidence on this subject; for the right honourable gentleman had said, that these gentlemen were guilty of a crime in possessing themselves forcibly of the King's packet; and that a case had been laid before the King's learned Counsel, who had advised against a prosecution; but, although it had been found inconvenient to prosecute them, it became necessary to detain them, for a time, by some forcible means; it had been said too, that there were some suspected persons among them, who were said to be servants of the Duke of Orleans, &c.—With respect to persons of this last description, Mr. Fox said, he was ready to admit that no government could be so well constructed in all its parts, that it might not be necessary for the Executive Power, on some occasions of public danger and difficulty, to exceed the strict limits of legal authority, trusting for the justification of the measure to the nature of the exigency which called for it. But were thirty-six unsuspected persons to be punished, because there happened to be among them one or more other persons against whom such suspicions lay, as might possibly justify violent or unusual proceedings on the part of Government? The forcibly seizing upon a King's packet, or any other vessel, was certainly a crime punishable by law, totally independent of the proclamation; and, if those persons, who were otherwise unsuspected, had been guilty of this crime, they were liable unquestionably to prosecution, and if prosecuted, and the crime proved, they ought to have been punished; but, if no prosecution was brought against them, they must be considered to have been completely innocent. Mr. Fox then alluded to the notice which had been taken of the



names of Dr. Maxwell and Mr. Stone, and reprobated, in strong and pointed terms, the dreadful injustice and indecency of throwing out surmises against individuals, probably of good and irreproachable characters, and who had done nothing illegal, on account of their being members of, or connected with, certain associations. The last argument of the right honourable gentleman related to this being a private injury; and that it should be left to the private individuals injured to apply for redress. He might possibly have acquiesced in this opinion, had the proceedings in question been the act of inferior officers; but when done by such authority, under the direction of one of His Majesty's Secretaries of State, and involving a matter of such public importance, it seemed to him well worthy to be taken up, and investigated by that House. Mr. Fox concluded with giving his hearty assent to the motion of his honourable friend.

The ATTORNEY GENERAL said, that the honourable gentleman (Mr. Whitbread) had moved for a Committee to inquire into the facts which had happened in consequence of the order of Council; but that the facts which he had detailed, could not be connected with that order, which was evident from attending to dates. It had been asked, why those persons had not been prosecuted, if it was true that they had taken forcible possession of the packet; and allusion had been made to an opinion given by the King's Counsel. The question put was, whether they could be punished under the proclamation, which was surely impossible, as they could have no knowledge of it at the time; and, considering where the thing happened, it did not appear to him how they could have been punished, for the forcibly seizing on the packet, in any other manner than such severity, as it would have been highly improper, in the circumstances of the case, to have advised. It appeared to him a very strong thing to desire of that House to take up the matter, when out of forty persons who are supposed to have suffered indignity and injury, there was not one who had thought of bringing a prosecution. He concluded with saying, that a practice seemed to have prevailed of late among certain gentlemen in that House, which appeared to him highly dangerous and improper, of stating facts, and moving for inquiry and investigation, without proceeding any farther.

Mr. ESTWICK said a few words against the motion, in justification of the conduct of Ministers.

Mr. WHITBREAD explained. He said that certain facts had come to his knowledge which had been transacted under the proclamation ; and he thought it the best and most regular mode of proceeding, to state these facts, and to move for a Committee to inquire into them. When the facts came to be properly before the House, it was certainly his intention to have founded upon them a motion, with respect to the illegality of the proclamation. This led him to take notice of the observation made by the honourable and learned gentleman, (the Attorney General) that it was mischievous to state facts, without going any farther. If facts had been stated, and Committees of Inquiry moved for, as had been done with respect to certain proceedings, which were said to have taken place at the last election for Westminster, in which an honourable Member of that House had been stated to be concerned ; and also on several other occasions, by himself, and by some of his friends ; to whom was it to be imputed, that in these instances, the matter had gone no farther ? By whom had they been stopped short, and prevented from proceeding ? In the same way, in the present case, he had done his duty, and he washed his hands clean. He conceived the proclamation to be illegal ; for it was unquestionably illegal and unconstitutional to prevent an Englishman, who had been guilty of no crime, from landing in his native country ; and this the proclamation seemed to him to do, in clear and precise terms.

The SOLICITOR GENERAL said a few words on the allusions to the proclamation, as having no reference to the motion.

Mr. WHITBREAD said, he had alluded to it only in reply to the Secretary of State, by whom it was introduced.

Mr. ROSE complained of the allusion to the motion of inquiry respecting a supposed improper interference by him in the Westminster election. As a proof how ill founded that motion was, he had prosecuted a person for printing the very same charge contained in that motion, and in such a way as to give the defendant an opportunity of proving, if he could, that what he said was true ; but no attempt at proof was made, and a verdict was given against the defendant,

Mr. GREY said, he recollected the prosecution to which the honourable gentleman alluded. The paragraph on which it was founded, purported, that the honourable gentleman had been convicted in the House of Commons of an improper interference in the Westminster election. The honourable gentleman certainly was not convicted, because he would not consent that his conduct should be inquired into, and the House refused to inquire; and therefore the verdict of a Court of Justice against a person for printing that he was convicted, was no proof that the charge against him was not well founded.

Mr. ROSE said, the paragraph referred to by the honourable gentleman, was only one of two on which he had prosecuted.

Mr. FOX spoke to order. It was a most extraordinary thing, that when a Member of the House had made a charge, which he was ready to substantiate by evidence, and which the House refused to examine, it should be said that the charge was false, because the printer of a newspaper, who repeated the same charge, or perhaps something very different, was unable to support it by evidence. On what principle was it to be supposed, that a Member of that House had no evidence, because some other person, of whom he knew nothing, had none? Never was an argument set up, which tended so directly to suppress all inquiry. He therefore called upon the House, as they were gentlemen, and men of honour, to discountenance it.

The question on Mr. Whitbread's motion was then put, and negatived.

The order of the day for going into a Committee on the Hemlington Hundred bill being read,

Mr. Whitbread, Mr. Courtenay, Mr. Fox, Mr. Grey, Mr. M. A. Taylor, and Mr. Sheridan, opposed it on the ground, that any alteration of the law, in the case of riots and outrages so atrocious, with respect to which there had been the appearance of but too much indulgence already, would be of dangerous example, and tend to induce the ignorant to believe, that on some occasions and some pretexts, they might violate the law, and destroy the property of their neighbours, with impunity.

Sir John Mordaunt, Mr. Buxton, Captain Berkeley, Sir H. Calthorpe, the Attorney and Solicitor General, supported

it on the ground, that Birmingham, where the riots happened, was situated at the extremity of the Hundred, the greater part of the inhabitants of which were too distant even to know of it time enough to aid in suppressing it; and that the bill only tended to ease the Hundred in the mode of paying the damages, without injury to the sufferers.

The House resolved into the Committee, and the bill was gone through.—Adjourned.

*Friday, 10th May.*

The bills for the regulation of the trade and Government of India, were read a second time, and ordered to be committed to a Committee of the whole House on Monday.

The House adjourned.

*Monday, 13th May.*

The order of the day being read, for the House to resolve itself into a Committee of the whole House on the East-India Government and trade bill,

Mr. S. SMITH entered considerably at large into the affairs of the East-India Company. He was of opinion, that if the present bill passed into a law, Government must make a demand on the Company of 500,000*l.* annually; and he did not see how the Directors were to resist that demand, whether they had profit to that amount or not, and supposing a deficiency to happen for several years, the amount of arrears might occasion great embarrassment.

Mr. D. SCOTT answered the objections of the last honourable gentleman, and maintained that the provisions of the bill guarded against the probability of the evil alluded to, by allowing the deficiency of one year to be added to the demand on the produce of the next. He maintained too that there now was a considerable surplus in the hands of the Company, which he saw no reason to apprehend would be diminished, but which, on the contrary, was likely to increase.

The question being put, the House went into the Committee.

Mr. FOX said, he understood it was supposed by several gentlemen, that some objections were to be made to this bill before the Speaker left the chair, and that afterwards the clauses should be discussed; but although he had great objec-

tions to the principle of the bill, as others might approve of the principle, and yet might have objections to some of the clauses, he had suffered the question for the Speaker leaving the chair to pass, that those gentlemen might follow their own ideas upon the subject without much impediment from him, particularly as what he had to urge might come at a future stage of the proceeding. He did not however wish to let one opportunity pass without his entering his protest against some of the provisions of the bill. It was ten years since the sentiment of the public had been expressed in that House—That the influence of the Crown had increased, was increasing, and ought to be diminished; and he was sure, there was as much reason for that resolution now, as there was at that time. He objected, he said, to the mode in which this bill tended to extend that influence; and he must now call upon all those who in the year 1780 declared, that the influence of the Crown ought to be diminished, to compare the influence then, and the influence now; and then to think whether they could consistently vote for the clause which gave the nomination of three officers to the Crown; whether they who voted for a bill, brought in by a right honourable gentleman (Mr. Burke,) a bill which would do him honour for ever; whether these gentlemen, he said, who had at that time entertained the sentiments they then professed upon the increase of the influence of the Crown, could now vote for a measure which so obviously tended to increase that influence. He maintained, that the clause empowering the Crown to nominate officers to act under this bill, and who were to be paid large salaries by the Company, was wrong upon the principle of it, because he thought that in all public situations, where officers were appointed to any public trust, the public ought to pay them, because while the payment came from the public purse, the public had some check by their representatives over the conduct of such officers, but by this bill the public were to pay circuitously and obliquely, by and through the medium of the Company; for the payment of these officers was so much in diminution of what the Public would otherwise receive from the revenues of the Company. He felt this, and he must add, that in proportion as the House felt the influence of the Crown to be great, they should be impressed with a sense of their duty

not to increase it. He had heard it said on former occasions, that the gentlemen acting in the affairs of India were mere birds of passage ; if so, he was sure there could be no good reason for supposing that they would be less under the influence of the Crown than if they were stationary, or that they were therefore the less likely to be corrupt. He should have other opportunities of delivering his sentiments upon this subject, and he should avail himself of them ; but he took this manner of calling the attention of the House (which he was sorry to see so thinly attended) to the point which he should afterwards take notice of. If gentlemen, who with him had voted, in the year 1780, upon the influence of the Crown, had forgotten the reasons upon which the House came to its resolution upon that subject—if they had forgotten all they formerly professed upon that subject, all he could say was, that he should do every thing in his power to improve their recollection, and therefore it was that what he now hinted at should be taken as a public notice.

Mr. Chancellor PITT entered into a general explanation of the clause of the bill to which the right honourable gentleman objected, and maintained that it was not liable in fairness to these objections. He professed his readiness to maintain there was no necessity at this time to renew the resolution, That the influence of the Crown had increased, was increasing, and ought to suffer diminution—for that he was ready to prove that the influence of the Crown was not increasing at the present moment. He then went into a general description of what would be the operation of the bill, in answer to the observations of the right honourable gentleman who preceded him, admitting of the propriety of discussing the subject at large upon any future stage which gentlemen might think proper to adopt for that purpose.

After several observations from Mr. Fox and Mr. Sheridan, upon the points of patronage and probable corruption, and a few words in answer from Mr. Pitt, the Committee proceeded through several clauses of the bill, the Chairman reported progress, asked leave to sit again, and the House ordered a farther Committee upon this subject to-morrow.

The House adjourned.

*Tuesday, 14th May.*

Mr. WILBERFORCE, after a short speech upon the subject of the slave trade, as far as it regarded the supply of negroes to foreign Powers by English ships, and also on the necessity of limiting the number of slaves to be imported to the British colonies, moved, "That leave be given to bring in a bill for abolishing the trade, carried on by English merchants for supplying foreign territories with slaves."

Upon this, it was immediately moved, "That this be referred to a Committee of the whole House."

Sir W. YOUNG seconded the motion.

Lord Carhampton, Mr. Dent, and Mr. Cawthorne severally opposed it.

Mr. LECHMERE informed the House, that he had communicated to the honourable gentleman who brought this subject forward, his intention of submitting to the House a plan for properly regulating, instead of totally abolishing, the slave trade, and that the honourable gentleman thanked him for his candor; he therefore was, in some degree, surprised at this motion to-day.

Mr. FORD expressed some apprehension of danger in agitating this question at this time, and wished to see the subject at rest.

Sir W. DOLBEN supported the motion strenuously.

Mr. FOX, after taking notice of what the House had done last year, and what the Lords were doing in this upon this subject, and reminding the House of what appeared to him to be their duty, warned them not to trust too much to the good temper of the people, by playing and trifling with their requests, passing resolutions in one session in one year, by which the Public were taught to expect that this infamous traffic should in time be abolished, and then to abandon the whole in another session, by having recourse to the shift of saying, that the subject was before the other House; that it was a dangerous time to meddle with our commerce; or by any such quibbles; this trade was no more like real fair commerce, than it was like justice or humanity; commerce was disgraced by being compared to it; it was an odious, monstrous, inhuman traffic, and foul stain upon the British character. Such the majority of

the House thought it last year ; such the mass of the people thought then ; such they thought it now ; and if they had not renewed their petitions to the House, it was because they had confidence in its justice, its humanity, its honour, and its regard for the consistency of its own proceedings ; and gentlemen would do well, if they wished the Public to have any esteem for that House, not to teach them that their confidence was misplaced, when they thought that House would perform its duty. Having urged these, and other points, he trusted the House would agree to the motion ; or that if they thought the House too thin to decide upon a point so important, they would adjourn the debate for a day or two, and go into a Committee, and discuss the subject fairly, if any farther discussion was necessary.

Mr. GASCOYNE was decidedly against the motion.

Mr. BURDON said, that so far was he from being surprised at this motion, that he confessed freely he should have been much surprised if it had not been made.

Mr. WILBERFORCE said a few words in explanation.

Mr. LAMBTON assured the House, he had reason to believe that the Public in general expected that Parliament would come to some measure upon this subject in the present session. He had lately received no less than a dozen letters himself from various parts of the country, expressive of the greatest anxiety for the abolition of this trade.

Mr. ESTWICK opposed the motion.

Mr. Chancellor PITT went at length into the subject, and took notice of all the arguments urged against the motion, and maintained that the House ought, in justice to its own character, and in support of its own honour, to adopt the motion now before them.

Mr. W. SMITH supported the motion.

The House divided ;

For the motion, 41 ; Against it, 34.

Mr. WILBERFORCE then moved, " That leave be given to bring in a bill for limiting and regulating the importation of slaves to the British Colonies in the West Indies, for a time to be limited."

Mr. CAWTHORNE thought it rather unfair in the honourable gentleman to have separated his two motions, and not



to have brought forward this motion along with the former one. It appeared to him that the object of this motion went to the whole system of the African slave trade; and that, therefore, in point of order, it could not be put.

The SPEAKER said, that with respect to order, as a motion had been offered to the House about two months ago, to go into a Committee of the whole House, to consider of the circumstances of the African slave trade; which motion had been postponed for three or four months; no motion could now be entertained of the same nature with that motion, or upon which any proceeding might be grounded which could go to the total and immediate abolition of the slave trade; but, as the present motion did not certainly go to that length, he thought it could not be objected to in point of order.

Mr. Chancellor PITT argued in favour of the motion, the object of which was perfectly different and distinct from abolition, and the only purpose of which was, to prevent the increase of the importation of slaves to our West-India islands, pending the discussion on the question of abolition.

The MASTER OF THE ROLLS said, that, although he had given his vote for the former motion, he was not prepared to give his assent to the present motion, which, in his opinion, was perfectly different, and went directly to the gradual abolition of the slave trade.

Sir WILLIAM YOUNG gave credit to the honourable gentleman (Mr. Wilberforce), for his candor and fairness in separating the two motions; which, as they were totally different, ought surely to be made separately; but, the same reasons which had induced him to vote in favour of the last motion, determined him to give his negative to the present one.

Mr. WILBERFORCE stated, as one argument in favour of the motion, that the greatest part of the excess of the importation of slaves, had not been occasioned from any view of providing against the eventual abolition of the slave trade, but with the view of beginning new plantations.

The House then divided on Mr. Wilberforce's motion;  
Ayes, 25; Noes, 35. Majority against the motion, 10.  
The House adjourned.

*Wednesday, 15th May.*

Mr. Secretary DUNDAS said, that when he had given notice, on a former occasion, of his intention to move for a repeal of the duties on coals carried coastwise in Scotland, he had stated that the gross annual produce of these duties did not amount to more than 10 or 12,000*l.* sterling. In fact the duty amounted to a prohibition; and, in the North of Scotland, they trusted almost entirely to the peat mosses for a supply of fuel, in preparing which, a great part of the labour of that part of the country was expended, which might be beneficially employed in fisheries and manufactures; by which means, a great part of that resource was lost to the revenue, which must arise from the industry of the inhabitants: he had formerly stated, that these considerations would have led him, to propose the repeal of these duties on coals, as an advisable measure, had he even been unable to substitute any compensation in lieu of them; but, being sensible, that the inconvenience was not confined to Scotland alone, but that it was felt by other parts of the country, he wished to take some time to inquire and consider, whether he could not think of some proper means of supplying from Scotland, the deficiency which the repeal of these duties would occasion. In the Highlands of Scotland he believed, that a certain quantity of spirits was really, in some shape, a necessary of life, and that it was not there indulged into excess; but, from every information he had been able to procure, it was his opinion, that stills of a certain size now allowed to be used there, on payment of a licence duty of twenty shillings per gallon, might well bear to be charged with a licence duty of 40 shillings per gallon.—He would also propose the taking off an exception, which the retailers of what is called aqua vitæ, in that part of the country, have been in use to enjoy, and to impose a certain licence duty upon them; and these together, he had no doubt, would produce a revenue of more than 20,000*l.* sterling. What he had already spoke of applied only to the Highlands; but in the Lowlands of Scotland, where the business of distillation was chiefly carried on, it had been the wisdom of the legislature to impose a higher duty; that duty, in his opinion, was

Still much too low; which had led, from the consequent low-ness of the price of spirits, to a most alarming excess in the use of spirituous liquors, highly prejudicial both to the morals and health of the lower class of people. He understood it, indeed, to be universally admitted, that nothing was so fair an object of taxation and of revenue, as spirits; and that the duties on spirits could not be too high, unless they should go the length of giving encouragement to smuggling. At present, he said, the licence duty on each gallon of the distillation, or low wash-still, was 3*l.* which he proposed should be raised to 9*l.* which he computed would produce an additional revenue of 38,400*l.* on the supposition that, by the increase of duty, the number of gallons should be reduced from 11,200, their present number, to only 800. On rectifying stills, no more was charged at present, than the mere trifle of a halfpenny per gallon, which had been found to occasion the practice of a great fraud on the revenue, by using rectifying stills for the purposes of distillation: this was perfectly evident, from the number of rectifying stills, which were no fewer than 25,000; whereas no more than 5000 or 6000 could be required, in order to rectify the whole spirits which could be produced from the low wash stills; and in order to remedy this, he would propose to impose upon the rectifying stills, the same licence duty of 9*l.* per gallon, as upon the low wash stills; by which means, indeed, the number of these rectifying stills might probably be reduced to about 6000. But, upon the whole of what he proposed with respect to the duties on spirits, he was very much convinced, that, (besides providing for the deficiency of the duties on coals, now proposed to be repealed,) an annual addition of nearly 100,000*l.* would be made to the revenue of the country; and in such a manner as would likewise be advantageous to the morals and health of the people.

Mr. DUNDAS then moved the first resolution, as follows:

“ That it is the opinion of this Committee, that the duties now payable on coals, culm and cinders, brought coastwise, into any port or ports in that part of Great Britain called Scotland, do cease, determine, and become no longer paid,”

Sir JOHN SINCLAIR said a few words, signifying his approbation of the resolution; which was put and carried.— After which several other resolutions, with respect to the duties on spirits, were also put and carried, and the House being resumed, the report was ordered to be received to-morrow.

Sir JOHN SINCLAIR rose to submit to the consideration of the House the motion, of which he had given notice, with respect to the state of the agriculture of this country. He regretted that there was not a fuller attendance in the House, but he had communicated, on the subject, with many Members of the House, whose knowledge of it was extensive, and who had concurred with him in opinion: and it was also to be considered, that the measure proposed was to be only an experimental one for five years. He then proceeded to state, at considerable length, and with much precision, how much room there was in this country for improvement in agriculture, and the great advantages to be derived from it. Nothing, in his opinion, seemed so likely to effectuate this desirable purpose, as the appointment of a Board of Agriculture, composed of respectable gentlemen, perfectly conversant in and acquainted with the subject, as well as considerably interested in the success of the scheme, and who he would propose, should act without any reward or emolument. Various advantages would, as he conceived, be derived from such a plan, and the expence would not exceed 3000*l.* in salaries to clerks, &c. This being a public Board, would no doubt have the privilege of franking; and one very material benefit of it would be, the establishing a free communication of the different improvements in agriculture, from one part of the country to another. He concluded with moving,

“ That an humble address be presented to His Majesty, entreating, that His Majesty would be graciously pleased to take into his Royal consideration the advantages which might be derived, by the Public, from the establishment of a Board of Agriculture and internal improvement :

“ Humbly representing to His Majesty, that, though in some particular districts, improved methods of cultivating the soil are practised, yet that, in the greatest part of these

kingdoms, the principles of agriculture are not yet sufficiently understood, nor are the implements of husbandry, or the stock of the farmer, brought to that perfection of which they are capable :

“ That his faithful Commons are persuaded, if such an institution were to take place, that such inquiries might be made into the internal state of the country, and a spirit of improvement so effectually encouraged, as must naturally tend to produce many important national benefits, the attainment of which His Majesty has ever shewn a most gracious disposition to promote ; and, in particular, that such a measure might be the means of uniting a judicious system of husbandry to the advantages of domestic manufacturing industry, and the benefits of foreign commerce, and consequently, of establishing, on the surest and best foundations, the prosperity of his kingdoms :

“ And, if His Majesty shall be graciously pleased to direct the institution of such a Board, for a limited time, to assure His Majesty, that his faithful Commons will cheerfully defray any expence attending the same, to the amount of a sum not exceeding 3000*l*.

Lord SHEFFIELD seconded the motion.

Mr. HUSSEY said, that no one Member of the House could be more anxious than himself, with respect to the objects which were proposed to be attained by the motion of the honourable Baronet ; but he wished for more time to investigate the means proposed for that purpose, and the probability of their success ; and to consider better, whether, by agreeing to the motion, they might not be holding out false hopes to the country. It was besides a subject which ought surely to be discussed in a much fuller House, and he would therefore propose to adjourn the debate.

Sir WILLIAM DOLBEN was in favour of the motion, but thought it did not go far enough, and that premiums ought to be given.

Mr. Wilberforce, Mr. Secretary Dundas, Mr. Chancellor Pitt, &c. spoke in favour of the motion ; which, as a matter of experiment, promised as well as any that had ever been proposed, at a small expence, in comparison with the

benefits likely to arise from it: but, Mr. Hufley conceiving himself bound in duty to oppose the discussion of so important a matter in so thin a House, it was agreed that the debate should be adjourned till Friday next.

*Thursday, 16th May.*

Major HOBART, after a speech of considerable length, to support the principle of his motion, moved, in a Committee of the whole House, "That the Chairman be directed to move the House, that leave be given to bring in a bill to permit goods and commodities of the growth and manufacture of Asia, Africa, or America, legally imported into Ireland, to be imported from thence, under certain regulations, into Great Britain."

Mr. SHERIDAN said, he could not possibly oppose this resolution; he supposed it had, by the words "legally imported," a reference to the bill now before that House, and also to a similar measure likely to be brought forward in Ireland; with that understanding, he could have no objection to the resolution.

Mr. Chancellor PITT informed the House, that he should to-morrow bring forward the subject of the lottery.

Mr. TAYLOR said, that the right honourable gentleman might state some regulations to-morrow upon this subject, but he submitted to him the propriety of deferring the discussion on it to the second reading of the bill.

Mr. FOX said, that as there was no question before the House, he could not deliver his sentiments upon this subject at present; it might not be amiss, however, for him to remind the House of the nature of the business they would have to discuss, and to warn them to take care they did not get into a difficulty which occurred to them last year, that of agreeing to certain regulations in the first instance, as opened by the Minister; by so doing they were not able afterwards to make any alteration in the bill which was brought in, because, if they did, that circumstance might affect the sale of tickets.

Mr. Chancellor PITT professed his readiness to enter into this business to-morrow, and discuss the whole of it, or open the regulations he had to propose to-morrow, and defer the discussion to Wednesday.

The latter mode was adopted, after a few words from Mr. Taylor.

On bringing up the report of the East-India Annuities bill, a conversation of considerable length took place between Mr. Sheridan and Mr. Chancellor Pitt.

Mr. SHERIDAN contended that the holders of East-India stock were, by equity, and by the spirit of former acts of Parliament, to be paid off in 1794, at the expiration of the present charter, at par, for that the Public stood pledged to that effect. He wished that as this might be a question of law to be decided hereafter, there should not, at least, any thing appear in this bill that tended to decide that question, or seem to determine any thing upon it. With a view of keeping the question open at least, Mr. Sheridan produced a clause for that purpose.

Mr. Chancellor PITT differed from the honourable gentleman in this respect; he was decidedly of opinion that the Public were not indebted in any degree to these annuitants, but to the Company, and to whom the Public were only collateral security.

The clause was negatived, and the report was read, the resolutions agreed to, and the bill was ordered to be read a third time to-morrow if then engrossed.

The report of the Committee on the laws for empowering His Majesty by proclamation, order in Council, &c. to prohibit the exportation of corn under certain regulations, &c. being brought up,

Lord SHEFFIELD expressed some doubts upon this subject. The resolutions were read however at the suggestion of the Chancellor of the Exchequer, under an understanding that the bill should be printed, and the whole business thoroughly discussed, after the ensuing recess for the holidays. A bill was then ordered to be brought in, in pursuance of these resolutions.

Mr. SALISBURY, after a short speech, in which he took notice of the evil effects of bribery at elections for Members to serve in Parliament, and of the necessity of checking it, stated, that the outline of what he should propose by the measure he should offer to the consideration of the House was, that where a Committee of that House on trying the merits of any contested election, should report that bribery had been practised by any person at that election, the Attorney General should,

as of course, proceed by way of information against such persons; and that each Member should take an oath in the bill to be described, relative to bribery. He then moved "for leave to bring in a bill for the better prevention of bribery and corruption at the election of Members to serve in Parliament."

This produced a conversation which was supported by the Attorney and Solicitor General, Mr. Taylor, Mr. Secretary Dundas—it ended in Mr. Salisbury's withdrawing his motion for the present session, understanding that it shall be brought forward early in the next.

The House adjourned.

*Friday, 17th May.*

The order of the day being read, and the House having gone into a Committee of Ways and Means,

Mr. Chancellor PITT said, it was his intention to move a resolution for raising the sum of 675,000*l.* by way of lottery: he conceived it would be unnecessary for him to enter farther upon the subject then, as he understood that gentlemen were inclined to defer the discussion of it till the report, which might either be made on Wednesday or on Thursday; but that was the last day to which the report could be deferred, as the day of the first deposit was on Friday.

Mr. TAYLOR thought it might be as well to take the report on Thursday, as Wednesday was generally understood to be a day of private business.

Mr. SHERIDAN wished to know, whether the bargain, as to the lottery, had been already concluded.

Mr. Chancellor PITT answered, that a bargain should have been agreed upon conditionally.

Mr. TAYLOR said, that although he had himself formed a decided opinion against lotteries, under whatever regulations; yet, as there might perhaps be some gentlemen, who, though no friends to them, might nevertheless think it possible, by certain regulations, to obviate in a great degree the evils arising from them; he would wish, if the right honourable gentleman had no objection, that he would now state shortly the outline of the regulations which he meant to propose.

Mr. Chancellor PITT stated his principal object to be, to prevent a most mischievous species of insurance, he meant the



mode of insurance, from day to day, whether the ticket insured shall be drawn on that day. To remedy this, he proposed to give a power to the Commissioners to vary the number of tickets to be drawn in each day, at their discretion: but, as this might not prevent gambling speculations on the drawing of the first 2000 tickets, for instance, or of the first 1500 tickets, he would next propose that the numbers drawn should only be taken down and printed under the authority of the Commissioners, and that they should be published in a numerical arrangement, so as to render it impossible to ascertain the order in which they were drawn. Another regulation he meant to propose, was, to prevent insurances at licensed offices, unless where the tickets insured were actually produced, and more effectually to suppress all unlicensed offices.

Mr. TAYLOR did not think the regulations would answer the purpose; if he saw any regulations which he thought likely to remedy the evils, it was very much his inclination, at the present moment, to give every assistance to the executive Government with respect to money, instead of throwing any impediment in the way.

Mr. SHERIDAN said, it was absolutely necessary to have a radical remedy, and that no palliation would do:—As to the regulations proposed by the right honourable gentleman, it appeared to him, that the only effect of the 1st regulation would be, to make gambling deeper; that, with respect to the 2d, it was impossible to shut up Guildhall, so as to have nobody there but the Commissioners; for the business must be carried on publicly, and the regulation was, of course, impracticable. As to the last regulation, with regard to lottery offices, it was evident, from past experience, that it must be totally nugatory.

Mr. Chancellor PITT replied to the observations made by Mr. Sheridan, and said, that the public benefit was too great to be hazarded, on such an occasion as the present; but he had no objection to delay the report till Thursday, when there would be an opportunity for a full and fair discussion.

After which, the resolution moved by the Chancellor of the Exchequer, that the sum of 675,000*l.* be raised by way of lottery, for the service of the year 1793, was put and carried.

Mr. Chancellor PITT then moved, that there be issued to His Majesty, for the service of the year 1793, the sum of

255,000*l.* out of the surplus arising from the consolidated fund, from the 5th of January 1793, to the 5th of January 1794. This resolution was also agreed to; and the House being resumed, the report was ordered to be received on Thursday next.

Sir JOHN SINCLAIR moved, that the order of the day for resuming the adjourned debate on the Board of Agriculture, should be read: after which, with the permission of the House (which the Speaker stated to be necessary in point of order, as he had spoke in the former debate,) he proceeded to say a few words in support of the propriety of the address to His Majesty, which he had the honour of moving on Wednesday last.

Mr. BUXTON supported the motion of the honourable Baronet.

Mr. HUSSEY spoke strongly against the motion. He said there was a society established for the same purpose in the Adelphi, supported by voluntary contributions, which had subsisted for forty years. The sum contributed amounted to 1200*l.* a year, and they distributed 800*l.* annually in premiums. Many other similar societies existed in different parts of the country. He had made many inquiries of those persons whom he considered most capable of forming an opinion as to the probable good to be expected from the present plan; and he had found none of them who thought it a proper plan. He was convinced the motives of the honourable Baronet were pure, but he could not agree to take 3000*l.* a year out of the pockets of the people for the purpose of trying projects. He thought the House had no right to do so, and he would therefore give his decided negative to the motion, and thought it his duty to take the sense of the House upon it.

Mr. DUNCOMBE differed from his honourable friend who spoke last: he conceived the improvement of agriculture to be of the highest importance; and, as his expectations from the proposed plan were pretty considerable, he would certainly give it his support.

Mr. D. SCOTT thought it the duty of the House to protect agriculture as much as they had done commerce, and expressed his approbation to the motion of the honourable Baronet.

Mr. Rolle and Mr. Stanley jun. spoke also in favour of the motion.

Mr. PULTENEY supported the motion ; the expence was trifling, in proportion to the probable benefits to be expected from it ; benefits, which would not be felt by the proprietors of land only, but by the farmers still more, and indeed by all ranks.

Sir W. DOLBEN was decisively of opinion, that, unless the sum proposed should be doubled, and one half of it distributed in premiums, no practical advantage would arise from the present plan. The society which had been mentioned by an honourable gentleman (Mr. Hufsey) to which he had the honour to belong, as well as the other private societies, would be placed in a very singular situation. This Board would assume to itself the whole correspondence, and the private societies were to be left to pay the rewards, not upon their own discretion, but upon that of the new Board.

Mr. SHERIDAN said, it was the first time he had heard of its being a circumstance of degradation to pay rewards: the two following lines, which at present occurred to him, as applied to this country, expressed a very different sentiment—

Let people do, or let people say,

It always looks great, to have something to pay.

In his opinion it was impossible to give a good reason why the Public should pay the expence proposed: it was said the Commissioners were to act without any reward; but, for his part, he was always extremely jealous when he found gentlemen too forward and zealous to do good to the Public for nothing: upon that footing the Board of Control had been instituted.—He had no objection to the principles of the motion, independent of the one he had mentioned, and would therefore conclude with moving, as an amendment to the address, to leave out the latter part of it, and to insert the following words, “ providing that no expence whatever attending the same shall fall upon the Public.”

Sir WATKIN LEWES spoke in favour of the original motion for the address.

Mr. MILBANK, conceiving this to be only a motion for leave to bring in a bill, said he would not oppose it in the present stage.

The **SPEAKER** explained that no bill was intended to be brought in, and that, in the shape of the business, the present was the only stage in which an opportunity would be afforded of making any opposition to it.

Mr. **FOX** wished to state a few reasons which would certainly induce him to give his negative to the address proposed. He certainly thought agriculture of the highest importance; and, if any beneficial improvement should be made in it, nothing could be a more proper object of public reward. But he had no conception that the present plan could do any. He agreed entirely that the House had no right to apply to such a purpose the money of the people. He could not conceive that the nomination of a Board of this kind ought to be by His Majesty; and he confessed it was an additional argument with him against the appointment being by His Majesty, that no person could be appointed to any office under the Board, not taking the sacrament according to the form of the Church of England. Various other objections occurred to him, and as he saw no good to be expected from it, he would certainly give it his negative.

Mr. **HUSSEY** said, as there was now a new motion, he was entitled to another hearing. He again spoke at some length against the address, and disapproved highly of voting money in that sudden way all at once, instead of originating the matter in a Committee of Supply, by which means it would be liable to investigation in the different stages of its progress.

Mr. **MARTIN** said he had come down to the House prejudiced in favour of the address, and had not altered his opinion upon the merits; but, from what he had heard so ably stated by the honourable gentleman who spoke last, he could not agree to vote money in that summary manner.

Mr. **CAWTHORNE** spoke in favour of the original motion for the address.

Mr. **GREY** said he would vote for the amendment proposed by his honourable friend, though he would rather have wished it had gone the length of giving a direct negative to the motion of the honourable Baronet. It was impossible for him to agree to vote a shilling from the pockets of his constituents for erecting boards and creating expence, at a time when we ought rather to look for every possible reduction of expence.

Mr. Chancellor PITT and Sir WILLIAM DOLBEN said each a few words ; after which Mr. Sheridan's amendment was negatived without a division, and the House divided on the original motion for an address to His Majesty ;

Ayes, 101 ; Noes, 26. Majority for the motion, 75.

The report of the Committee of the whole House, on the bill for regulating the government and trade, being brought up : on reading the clause to enable His Majesty to appoint two additional Commissioners for the management of the affairs of India, who are not Privy Counsellors, and with certain fixed salaries,

Mr. FOX said, that when a clause of this alarming nature, with respect to influence, came to be discussed, he would have wished to have seen in their places those honourable gentlemen who had expressed their sentiments so strongly on former occasions against the influence of the Crown. It was surely, on every account, proper that they should come forward, and give a decided opinion on this question : let them say whether they have altered their former opinion ? or, if they have not altered it, which he trusted they had not, whether they can reconcile the support of such a measure as the present with that opinion ? Persons in their high situations ought to attend and to give their votes. He would wish to know from them how far they thought it right to go, in cases of danger and emergency, in support of any plans brought forward by Ministers ? and whether they were never to oppose this shameful increase of influence ? As to the thing itself, there are two very considerable offices, with certain fixed salaries, added to the patronage of the Crown. It was indeed hinted, that perhaps some offices, belonging to another kingdom, held at present by persons in this country, would be taken off from the patronage here ; but, be this as it may, will not the patronage of another country bear upon this ? When the Board of Control was first appointed, it was said there were to be no salaries ; and surely this country was never in a situation which called for stricter œconomy than when we are involved in war, and in difficulties of which we cannot see a probable speedy termination. However great his personal respect for the honourable gentlemen

he had alluded to, he could not but complain of their absence; and he called too upon all those who, in the year 1780, joined in the vote of that House, that the influence of the Crown had increased, was increasing, and ought to be diminished, to come forward: let them say whether they were then right? And, if so, whether that influence has since decreased? With respect to His Majesty's Privy Counsellors, there were surely many of them who possess lucrative offices under the Crown, who may have leisure sufficient to attend to the business of the Board of Control; such as the Treasurer of the Household, the Postmasters General, the Treasurer of the Navy, &c. If this were not the case, the appointment of this Board of Control, in the manner it was held out at first, was nothing but a deceit practised upon the public. Mr. Fox said, he was determined to take the sense of the House to-night; and, if he was then unsuccessful, to do so in any future stage of the bill, where the forms of the House would permit him, with respect to this particular clause, as he was resolved it should not be said that a fair opportunity had not been given to every gentleman to give his vote and opinion. If he limited his opposition, at present, to that clause alone, it was not because he did not dislike many other parts of the bill, but because he did not wish now to mix any other part of it with this. He did not wish to say any thing personal to the right honourable gentleman opposite to him (Mr. Dundas), who was not only Treasurer of the Navy, but also Secretary of State and President of the Board of Control. He alluded to this for no other purpose than to ask if that right honourable gentleman had, for two years past, discharged the important duties of Secretary of State, and at the same time had acted as President of the Board of Control; whether a Treasurer of the Household, or a Postmaster, might not have had leisure to act in the same capacity? He would only farther observe, that as it was held out that, when offices are divided, there should be additional salaries, it would seem to follow that, when they were united, there should be a saving to the public, though he had never heard that this took place with respect to the right honourable gentleman, or that he did not receive the salaries and emoluments of all the different offices held by him.

Mr. Secretary DUNDAS adverted to the observations of the right honourable gentleman who spoke last upon the influence of the Crown, and the vote which that House passed in the year 1780, expressive of the necessity of that influence being diminished, and also the call of that right honourable gentleman upon those who voted for that resolution to support its principle to-night. He said there was no need to do so, and, of all the Members of that House, the right honourable gentleman had the least reason to complain of patronage on the affairs of India, for before he called upon others to explain their conduct upon that subject, he would have a good deal to explain for himself. As to the vote on the influence of the Crown at the time he alluded to, gentlemen would recollect that it was followed up by a bill which carried the spirit of the resolution into effect, and therefore there the subject ended. But with regard to any general regulation of the affairs of a great empire, he never heard any one yet say that all influence of the Crown should be avoided, although some essential object should be obtained by it. But when the right honourable gentleman came to make any allegation of this kind, he should recollect the nature of the bill brought in by himself for the regulation of the affairs of India, and consider and compare that and the bill now before the House; when that was done, he would venture to assert, that the present measure did not tend to create one hundredth part of the patronage that would have attended the bill of the right honourable gentleman. He knew what he was saying, and he was perfectly ready to compare the consistency of his conduct with the right honourable gentleman on the affairs of India. The bill of the right honourable gentleman went to the appointment of nine Commissioners, who, in point of fact, would have had the whole power and patronage of India. These Commissioners were not to act without salaries. He then observed, that he did not at this time, nor had he at any other former time, either said, written, or printed any thing invidious upon this subject: he only mentioned these things now to shew that a considerable degree of patronage must necessarily attend power; and had the contrary been hinted to that right honourable gentleman, when his bill was under discussion, his own good sense would na-

turally have spurned at it. He then came to the nature of the subject now under discussion, and maintained that the appointment of two Commissioners in the manner proposed in the bill was highly necessary. He was speaking from experience, and he was perfectly ready to say that there should be in the Board of Control two members of a certain description, and of a certain age, which might fit them for the conduct of business of this kind. He was no friend to the idea of leaving it to the care of that House. He did not mean to say that the House was lazy, for that House was never lazy when it ought to be active; but he had often felt and lamented that the House was often unwilling to take up and examine the affairs of India. There were persons brought up in the consideration of the Indian government, inured and prepared, as it were, solely for that purpose, and whose knowledge could not be so well applied to any other object. This was a consideration that weighed with him very much in favour of the appointment of these Commissioners, and he would venture to affirm, that this sort of regulation was infinitely more applicable to India than to any part of the Government of this country. He was satisfied that the knowledge of the whole Board would soon become more general in consequence of this mode, and it was upon it that he calculated the permanence of the Board itself, as well as the system to be supported by it. He saw much advantage to be derived from the plan, if these Commissioners saw they would not be under the necessity of leaving that Board before they became Privy Counsellors. They would proceed in a laborious situation of business, which, without the sort of knowledge which he had alluded to already, could not be carried on, and to which almost every other person was a stranger until a late period either of his natural or political life. These were his reasons for this measure, and the House were to judge whether they were good or bad. He then took notice of another part of the subject, to which the right honourable gentleman had alluded. He had asked whether Privy Counsellors could not be introduced into this Board, already possessing certain offices, the duty of which would not prevent them from attending to this business? He said he did not mean to enter into the general subject of



the influence of the Crown at this moment, but he knew perfectly well that the bill which followed the resolution of that House upon the influence of the Crown was at that time thought to bring that influence to as narrow a scale as could have been done with due respect to the Sovereign, with whose honour, interest, and dignity, we were so much connected. There was a part of the right honourable gentleman's speech remaining which he hardly knew how to answer. He meant that which related personally to himself in the situation in which he stood. It would be a very arrogant thing indeed in him to say that he was adequate to the situation in which he stood, or that the office of Secretary of State was an object of his desire. It was thought necessary that he should obey His Majesty's commands upon that appointment, and he was thereby placed in a situation which he did not expect. He accepted of the office of Secretary of State, under the idea that he was not to receive any salary for it. He had, from circumstances which it would not be either regular or prudent to explain at large at this time, remained in that situation from day to day to the present time—a period much beyond his expectation, and against his inclination; for he was ready to acknowledge what he really felt—that every hour he rose in the morning, and every hour he went to bed at night, he found he had a task upon his hands greater than he was able to perform. He believed there was no man who felt more upon this occasion than he felt himself. Either one or the other of these offices he had were perfectly enough for any man, and it was rather hard they should be all imposed upon him. He held these offices only for a time, and from a combination of circumstances; and he was perfectly ready to confess, that if the offices had been separated, they would both have been better executed. Upon the grounds, however, which he had already stated, he hoped the House would be of opinion that the patronage alluded to by the right honourable gentleman was not more than was necessary, for the purpose of a proper regulation of the affairs of India.

Mr. FOX explained what he meant when he spoke upon the influence of the Crown, and the creation of offices, both at home and abroad. With respect to the bill which he brought in upon the affairs of India, he must confess, perhaps it was

from vanity, he felt himself gratified upon the reflection, that whatever blame it might incur, it certainly did not tend to add to the influence of the Crown. It might be much worse than the present bill, but it certainly did not resemble the present bill in the smallest degree. But he must still say, that, with all due regard to the great abilities of the right honourable gentleman (the Chancellor of the Exchequer), he (Mr. Fox) had always thought himself, upon this subject, although otherwise inadequate, perfectly sufficient to contend with him. He thought so upon the India Declaratory bill; and on the discussion of it in that House, and in the public opinion, he had not the worst of it. Whenever that subject came to be discussed, he should shew that there was no part of the bill which he had the honour to bring into that House upon the affairs of India that was dangerous to the Constitution of this country. By that bill he meant to confine the influence of the Crown in appointing Commissioners—influence which, under the various measures of His Majesty's Ministers, since that period had increased to a pitch so high as to be now equal to what it was when the House voted for its diminution. He must again repeat, if the right honourable gentleman thought he had any advantage which he would wave upon the subject of India bills, he had no gratitude to him for his forbearance upon the subject. He only objected to-night upon part of the bill; he should have other objections to urge upon another discussion. As to the circumstance of the right honourable gentleman not receiving the salary of the office of Secretary of State, he could know nothing of it. If the public had benefited from that circumstance, he, as a Member of that House, must have known of it, by its being brought to public account. If the public were not to have it, he could have no objection to its being received by the right honourable gentleman. If it was to be carried to the public account, the public ought to be told wherein they received that benefit.

Mr. GREY asked, if the right honourable gentleman had not received the salary of the office of Secretary of State, how had it been applied, and what became of the emolument?

Mr. Chancellor PITT said, that, in consequence of his right honourable friend having declined to receive the salary, it had been added to the Civil List.

Mr. FOX said, that whenever there was appointed a Secretary of State who was to receive the salary of the office, there would be something wanted for the Civil List.

Mr. SHERIDAN said, he should like to know to what fund the salary alluded to had been applied, but he did not believe he should have much information upon that subject; nor did he see any reason for congratulating that House on that part of the right honourable gentleman's speech which conveyed information that there was soon to be a successor to the right honourable gentleman in the office of Secretary. As to the bill of his right honourable friend (Mr. Fox), to which allusion had been made, he must say that the conclusion which the right honourable gentleman wished to draw from it was wholly and entirely unwarrantable, for he meant to impress upon the House that the influence of this bill was of the same nature, but not to the same extent, as the bill of his right honourable friend; perfectly the reverse was the case; and so the House must feel when they reflected on the arguments made use of against the bill of his right honourable friend when it was under discussion, for its opponents all exclaimed against it, on account of the encroachments which it made on the power of the Crown, which were said to be so violent in that respect, that they almost took away the crown from the head of the Sovereign; that therefore it could not be similar to this, for here the objections were to the increase of the power and to the influence of the Crown. The question here put to the right honourable gentleman who brought in this bill was, upon what ground it was that he called upon the House to agree to a measure that tended to increase the influence of the Crown in the manner and to the extent of appointing these Commissioners? Were there not a sufficient number of sinecure places already held by gentlemen, who ought to lend their assistance to Government in carrying on the plan of the government of India, without creating new offices of high emolument, patronage, and influence? The right honourable gentleman had said, that young gentlemen should be appointed to those offices, educated, as it were, in Indian politics; and then again he was pleased to pay the House a compliment, by denying its laziness, as he was pleased to term it, and saying that House was never lazy when it ought to be active. This

compliment, he had no doubt, was well deserved, and the public would be of that opinion when they recollected that there never had been any difficulty in forming ballots, and that the public business had never been delayed on that or any other account, and that there had not been one contested election unsettled for three years, nor any foundation for any complaint of that nature. It must, however, be confessed, that the right honourable gentleman had hit upon a very good method of improving the diligence of the young gentlemen whom he should appoint to the Board, namely, that of giving them large salaries: this was certainly an excellent spur to their industry, at least until they got their appointments. He had contrived an excellent method of instructing them too, for the India House was to be turned into a sort of menagerie for instructing young gentlemen in the science of India politics. As to the reluctant manner in which the right honourable gentleman had accepted his various offices, he should only say, that if he found the tasks of them irksome, there ought to be something given to him to proceed in his duty on his foreign and home departments, if they were too laborious for him. The question, too, why gentlemen holding sinecures under Government should bear part in the labour to be created under the present bill was pretty well settled, for the young gentlemen to be employed might be taught in time at the India House, the seniors had taken care of the sinecures for themselves; and the reason why these young scholars in politics should have no sinecures was pretty obvious, the seniors had got them already. If, for instance, it was asked why one of them should not be appointed Clerk of the Signet in Scotland? the answer was, that was already held by the Treasurer of the Navy; or why one of them should not be appointed to the office of the Treasurer of the Navy? the answer was, that was already held by the Secretary of State; or why one of them should not be appointed Warden of the Cinque Ports? the answer was, that was already held by the Chancellor of the Exchequer. The right honourable gentleman, however, was a little tender upon the subject of the youth of those Commissioners when he came to consider the probability of their becoming Privy Counsellors; possibly he might have been a little prompted upon that subject by his right honourable friend (the Chancellor of the

Exchequer), who himself had the good fortune to be a Privy Counsellor before he was five and twenty, and a relation of his at the age of twenty-three. These seniors gave away all sinecure places first; left these junior politicians to be taught their trade before they should come in for a share, and then, with the gravity of Nestors, they turned round to the House, and said, "Let us, for God's sake, have no young men Privy Counsellors."

The House then divided;

For the clause, 113; Against it, 42.

Mr. GREGOR proposed a clause to oblige the Company to provide shipping for the export of 1500 tons of copper, the property of private adventurers, if at any time their own export of copper should fall short of that quantity, which was added to the bill.

Mr. WILBERFORCE proposed several clauses, which were adopted. Adjourned.

*Wednesday, 22d May.*

Mr. WILBERFORCE moved the order of the day for the House to resolve itself into a Committee of the whole House, to consider of a motion for preventing the supply of foreign powers with slaves.

Mr. CAWTHORNE opposed the motion upon various grounds. That it was too late in the session—that the question ought to be at rest—that our trade was injured by the discussion—that the subject had lost its popularity—that none but Dissenters and enemies to our constitution in Church and State wished for the abolition of the slave trade—that the rascality of the National Convention of France was well known, and that they were determined to carry on what the honourable gentleman wished this country to abandon—and that in every point of view his motion ought to be negatived.

Mr. BUXTON was decidedly in favour of the motion, and considered that every hour's delay of the total abolition of this inhuman traffic was a disgrace to this country.

Sir WILLIAM DOLBEN considered the question to be, whether we should, as a matter of mere trade and commerce, sell our fellow beings to any who might be infamous enough to buy them? As to the supply of our own colonies, the mo-

tion did not touch that point; and he knew that many men who did not agree to the abolition of the trade, as far as it regarded our own islands, were yet friends to this measure. This very morning he conversed with one of the best-informed men in the Kingdom upon that very subject, and he was of opinion, that to stop the supply to foreign powers would not be detrimental to our commerce. The question then was, whether for mere wantonness, we should continue a traffic that was a scandal and a disgrace to this country?

Mr. FRANCIS observed, that it was rather singular that an honourable gentleman, in his great eagerness to prove that the National Convention of France were a set of rascals, that he should recommend to this country to pursue their conduct with respect to the slave trade. That, to an ordinary understanding, would seem something like a reason for our not persisting in the traffic.

Mr. COURTENAY said, that the honourable gentleman who had supported the slave trade, had astonished him. The National Convention of France were rascals, it seemed, and therefore in every thing they did that was bad, we should imitate them, and as to any thing that might be good, we should leave it to be done by themselves, for they had once mentioned the abolition of the slave trade. The friends of the motion for the abolition of the slave trade were Dissenters, and enemies to the Constitution of this country in church and state. If he understood that English Irish, he must say the House were fortunate in having such a Member, for he would often entertain them better than any other person, as he had the advantage of possessing an English idiom, and an Irish mode of reasoning—of this his speech was a good specimen, for he had included in one general observation all persons who wished for the abolition of the slave trade as enemies to the Constitution of this country in church and state, and yet it was a truth well known that all descriptions of men, churchmen, and Dissenters of all denominations, had petitioned for the abolition of this most infamous traffic. In the infamy and inhumanity of this trade all sectaries had agreed, which was very extraordinary, for on all other controverted points they always differed; perhaps if it had been a text from scripture they might have differed, but here they were unanimous, and therefore the observa-

tion of the honourable gentleman, that all the friends of the abolition of the slave trade were enemies to the Constitution in church and state, was an Irish observation. This was, however, only a mistake of the honourable gentleman, for he thought they were all Dissenters, and against them he had conceived an anger which might have hurried him a little farther than he intended to go—perhaps he was determined, like the wife of Bath—

That the nation ne'er can thrive,  
Until the rogues are burnt alive.

The honourable gentleman ought to be obliged to him for saying what it was he meant to have said for himself, and when a gentleman of his great abilities could not produce a good argument in favour of the slave trade, it certainly could not be founded on justice or humanity. With respect to the National Convention, Mr. Courtenay said, there was no reason for pronouncing any panegyric upon their proceedings, many of them were contrary to justice and humanity, and he thought worse of them than once he might; however, that was no reason for our giving support to a trade for supplying them with slaves. With regard to the honourable gentleman who brought forward this motion, he might say, he thought he deserved the thanks of that House, and the gratitude of the Public, for his perseverance in a measure that would carry his name down to posterity with honour.

The House then divided,

For the motion, 61; Against it, 18.

The House being in a Committee, Mr. Wilberforce moved, that the Chairman be directed to move the House, that leave be given to bring in a bill to prevent the supplying of foreign nations with slaves.

Mr. Cawthorne opposed it, as did also Mr. Estwick, Mr. Dent, and Lord Sheffield. Mr. W. Smith, Sir W. Dolben, and Mr. Wilberforce supported it.

The Committee divided,

For the motion, 51; Against it, 24.

The bill was then ordered to be brought in, and Mr. Wilberforce, Sir W. Dolben, Mr. Chancellor Pitt, and Mr. Fox, were ordered to prepare it.

The House adjourned.

*Thursday, 23d May.*

At four o'clock the Speaker counted the House, when only 37 Members being present, an adjournment took place.

*Friday, 24th May.*

Mr. HOBART brought up the report of the two resolutions agreed to by the Committee of Ways and Means, on Friday last, which were read a first time; on the question, that they be read a second time,

Mr. M. A. TAYLOR said that he conceived it would only be trifling with the time of the House, were he to enter into the general objections to the system of raising money by public lotteries. He would therefore beg leave to call back to the recollection of the honourable gentleman the arguments which had been so ably urged on the subject, upon former occasions, and particularly to the debates which took place in the last session; when, the great variety of evils, and the ruin and distress to numberless individuals, which had arisen from, and seemed the almost unavoidable consequences of lotteries, were stated in so strong and clear a point of view by many honourable gentlemen by whom he was then supported, on both sides of the House, and seemed so generally admitted, that, if he had begun his opposition to the business at the proper time, he would probably have succeeded in putting an end to the nuisance of lotteries. It had been said in defence of them, that they were a voluntary tax, and a clear gain to the Public, to the extent of the revenue raised by them; but he conceived that the sums raised by lotteries were not clear gain to the Public; both because those who adventure in lotteries render themselves less able to contribute otherwise to the public revenue, and because, whenever 100,000*l.* is raised to the public by way of lottery, another 100,000*l.* is put into the pockets of others, by whose mischievous practices, incredible numbers are brought to ruin. He knew there were some persons who say, that at present, no way of raising money ought to be opposed; but to this he could not accede, though he was surely very desirous to give no opposition, at the present moment, to raising any necessary supply, how much soever he might disapprove of the measures of Ministry, because there was, in his mind, hardly any other



way of raising money so objectionable as the doing it by lottery: He confessed he would be desirous of making some sort of compromise with the House, which might lead to getting rid of the nuisance of lotteries, when an end should be put to the present war, which he could call by no other name than that of an accursed war. With respect to the regulations now proposed to be introduced by the right honourable gentleman, this was not the proper time for saying any thing upon them, as they would come properly to be discussed when the bill should be brought in, though he certainly doubted their answering the purposes proposed. Mr. Taylor mentioned the receipt tax as one which he thought perhaps the best of any, though it was at present much evaded, and this he thought might be properly remedied by refusing to admit any thing as legal evidence of a payment exceeding 10*l.* unless either a stamped receipt shall be produced, or that the person proving the payment shall also swear that he saw a stamped receipt given for it:—He did not know what addition might, by this regulation, be derived to the revenue, but only suggested it as a matter that had occurred to him. On the subject before the House, he would say nothing more at present; because, if the recollection of the debates which had formerly taken place had no weight with the House, he had not the vanity to think, that any thing which he could say would make any impression.

The resolutions were then read a second time, and agreed to by the House, and a bill ordered to be brought in upon the first resolution, for raising a certain sum of money by way of lottery.

The order of the day being read for the the third reading of the bill for regulating the Government and trade of India; and, on the question that the bill be read a third time,

Mr. FOX said, as he understood there were a number of clauses to be brought up, so that the question could not immediately be put for passing the bill, he would not oppose its being read a third time.

Mr. Secretary DUNDAS then brought up a number of clauses, which were agreed to, and ordered to be added to the bill by way of riders.

Mr. FOX considered, that, it was without example to bring forward, at the third reading of this important bill, so many

clauses, and yet to refuse the House time to deliberate upon them, or to judge of the import of each of them. By such an expedient, it would be in the power of any Minister to evade the forms of the House. This seemed to be an imitation of a legislation, not much admired in this country, which proposed and passed its decrees on the same day; whereas, he had ever held the forms of Parliament, which render deliberation slow, before a bill can pass into a law, to be one of the most valuable parts of our Constitution.

Mr. DUNDAS replied, that in all bills, which had important and public subjects to arrange, new matter must necessarily occur in the progress of discussion; that the practice of Parliament was, to introduce these subjects, as riders to a bill, or as additional clauses; and, therefore, the introduction of additional clauses into this bill was only employing the means, by which Parliament, in all such cases, could render an act as full and comprehensive, as the nature and magnitude of the subject required.

Mr. FRANCIS thought, that though this might be the practice of the House, yet in the bill now before the House, it would be impossible for the Members to examine and deliberate on the import of the proposed clauses, if the passing of the bill, at the present meeting, should be pressed.

These objections Mr. Dundas removed by specifying, that there was no new matter in the clauses, but only certain provisions upon subjects, on which there had been the fullest evidence on the table, and on subjects too, which had been in the expectancy of the House.

Mr. SHERIDAN said, that the evidence of this fact consisted solely in the assertion of the right honourable Secretary; that the House were excluded from the possibility of investigation by his precipitant measures; that many of the clauses referred to subjects which were as novel, as they were material; particularly, that one which regarded Nootka Sound. The nation had expended, he said, four millions, in vindicating its right to this trade; and yet, for his part, he never could discover, either that such a trade now existed, or was likely to exist. But taking the bill and its clauses into view, he knew nothing that they resembled, unless it was a stage coach, in which the inside bore no proportion to the outside passengers.

The clause was then read, by which ships from Nootka Sound are to be licensed to trade to Japan and China, but prohibited from bringing the produce of these countries to Great Britain.

Here the Speaker stated a difficulty which occurred respecting the forms of the House; whether, as this particular subject, though connected with the India trade and a new one, ought not to pass in a Committee of the whole House. The Speaker gave it as his opinion, that under all the circumstances of the case, it must pass through a Committee.

The House being resolved into a Committee, Mr. Fox objected to the clause, by stating, that under it the subjects of Great Britain, who might enter on the trade, would carry it on under much greater disadvantages than the subjects of any other European power. The British trader must act under a license, whilst the American trader required none: Thus, in fact, though we had threatened Spain with a war, to maintain our right to this trade, Spain alone, from the vicinity of its settlements, would draw profits from it. It had been said, that the British concerned in this trade had consented to the proposed license; but who were these traders? If any such existed, they were few, and it would be impolitic to take the consent of a few as a reason for excluding, for 21 years, the numbers, who, according to the magnified accounts of the importance of the trade, might engage in it.

To this it was replied, that several ships were already profitably employed in this trade; that the owners of them were certainly better judges of the measure than any other person could be; and that their consent was all that could be resorted to, since it was impossible to look forward to the supposed opinions of those, who seeing the profits from trading to Nootka Sound, under the proposed license, might afterwards wish to evade it, for clandestine purposes.

The clause was then read and agreed to.

Mr. PULTENEY next brought up a clause, proposing to give the exporters of goods, in the Company's ships, a right to carry out military stores, ammunition, masts, spars, cordage, anchors, pitch, tar, and copper.

Mr. DEVAYNES objected to this clause, that the license to the private trader, to export military stores and ammunition

in the Company's ships, would, in fact, be furnishing the natives with the means of resisting the Company's Government, and be dangerous in every political view of the subject. In this opinion Mr. Francis coincided, observing, that every man, acquainted with India, must be sensible of the force of the observation made by the Chairman, and that the exporters themselves could not be supposed to look for profits from this trade; but in the idea of supplying the natives with the means of resisting our Government: Mr. Pulteney replied, by stating, that the military stores might be carried out by other European powers, over whom we had no control.

Mr. DUNDAS, in answer, pointed out the distinction between military stores and ammunition, and the other articles in the proposed clause, and submitted to the mover of it to leave out the words "Military stores and ammunition," and that the opinion of the House would probably meet, in the permission to export the other articles enumerated in the clause. In this Mr. Pulteney acquiesced, and the clause was admitted.

Mr. Alderman CURTIS moved for leave to bring up a clause for giving a discretionary power to the Court of Directors to remit the penalties imposed upon brokers purchasing teas, at the India House, whereby if they should, by any accident, fail in paying the price, within the time limited (three days) they not only forfeit six times the deposit made by them, but are disabled for ever after from acting as brokers at any such sales.

This produced a long debate, in which Mr. Alderman Curtis, Sir Watkin Lewes, Mr. Alderman Anderson, the Lord Mayor, Mr. William Smith, and Mr. Sheridan spoke in favour of the motion; and Mr. Devaynes, Mr. David Scott, Mr. Serjeant Watson, Mr. Thornton, and Mr. Alderman Le Mesurier, against it. Mr. Secretary Dundas also opposed it, on the ground that it required deliberation, and that the question might afterwards be brought forward for the consideration of the House whenever gentlemen should think proper.

The House divided,

Ayes, 41; Noes, 98.

On the third reading of the bill,

Mr. FOX said, that having before delivered his opinion upon the subject of the amendment, which he meant to pro-

pose, he would not trouble the House with a repetition of the arguments, on which he founded that opinion. But as he had given notice that he should again object to that part of the bill which went to the creation of new offices in the gift of the Crown, in order that those with whom he had formerly concurred in a vote for reducing the influence of the Crown, might have an opportunity of delivering their sentiments on the proposed increase of that influence, he certainly should take the sense of the House upon it. If they still concurred with him in the opinions they had formerly professed, it became them, like men who acted from a sense of duty, unbiassed by any temporary motives, to maintain those opinions by their votes on the present occasion. If on the contrary, their opinions had changed, if they had abandoned the principles upon which he and they had formerly combated, the increasing influence of the Crown, it became them, in that case also, as men who acted from conviction, to avow that change, to explain the reasons of it, and to confirm it by their votes. In no case could he conceive it to be proper or consistent with their duty and their character, to absent themselves, and leave persons who were less inclined to put a candid construction on their motives than he was, at liberty to suppose that they were either afraid to avow the change that had taken place in their opinions, or that, if they still adhered to them, they were unwilling, on account of some peculiar circumstances at the present moment to take that part which their duty required. At all events, he had done his duty, by giving them this opportunity of delivering their sentiments, and should content himself without farther trespassing on the time of the House, with moving to leave out the words which gave salaries to two of the Commissioners for the affairs of India.

Lord INCHQUIN replied, that it was harsh to suppose, all the gentlemen, who had coincided in opinion with Mr. Fox in the year 1780, either had changed their principles, or were afraid now to avow them. There could be no doubt, respecting one gentleman's attachment to Mr. Fox, since he must recollect, that some years past, that gentleman had ventured his life in defence of his person; and there could be as little doubt of the ardour of his mind, if we judged of him, from

the proofs which he had given of his zeal for the Constitution, when he thought it in danger.

Mr. FOX, in answer to Lord Inchiquin, observed that he complained not only of the right honourable gentleman to whom the noble Lord had alluded, but also of other gentlemen who had joined him in the vote upon the influence of the Crown, in the year 1780. He must confess that it appeared to him to be their duty to attend the discussion of this bill, and to assign their reasons, if they had any, for thinking that the influence of the Crown ought to be now increased in the manner which it would be if this bill should pass into a law.

Lord INCHQUIN said a few words in explanation.

Mr. SHERIDAN said, that with regard to the honourable gentlemen, to whom his right honourable friend alluded, he must take it for granted, that they were all absent for very good reasons, else they certainly would be in the House to do their duty. With regard to the right honourable gentleman, to whom the noble Lord alluded, the House no doubt would be satisfied to hear that his absence was not occasioned by ill health; of this he could assure the House, for that right honourable gentleman attended his public duty this day at another place, and that too on the affairs of India. But the complaint of his right honourable friend did not apply solely to that honourable gentleman, as he had himself already said, there were others whom he had a right to expect to attend upon the discussion of this business. They had good reasons, no doubt, for their absence but until they were pleased to assign them, he must say that they had been unaccountably kept away from the House upon all occasions, when it was probable his right honourable friend should appeal to them on the vote they gave with him upon the influence of the Crown. That they still maintained the opinion they gave upon that subject, Mr. Sheridan said, he had no doubt; that the influence of the Crown applied particularly to the affairs of India, and that these very gentlemen had the same sentiments upon that subject, as they had expressed upon the Declaratory bill of the right honourable gentleman (the Chancellor of the Exchequer.) He had no doubt either that they then considered that bill as part of a system of fraud, tyranny, and oppression. He had no doubt that if these gentlemen were present on this evening, they

would have the same feelings as they had then, and that they would repeat their expressions. But, however, although the majority of that House might have confidence in the integrity of these honourable absent gentlemen, yet the public had yet to learn the cause of their absence, and perhaps until they were satisfied of the cause of that absence, they might not be quite ready to take it for granted that these gentlemen did their duty by absenting themselves upon the present occasion. However, when the apology came, there was no doubt it would be deemed sufficient by the Public.

Upon the putting of the question,

The House divided,

For the clause, 123; Against it, 30.

The other clauses being passed, and on the question that the bill do pass,

Mr. FOX said, when the subject was first brought under the consideration of the House, I did expect, that a Committee of Inquiry would have been appointed, to call for and to examine the requisite evidences, which could enable us to form our opinions upon so important a subject, as the Government and trade of India; and I did expect, that from such a Committee, a report would have come, founded upon the whole of this evidence; and that, upon the different branches of the subject, the House would have sat, from time to time, and solemnly and deliberately determined, what that system is, which is required for the administration of our Indian empire and trade. Was this the case? Nothing like it! On the contrary, the only evidence before the House, that I know of, is, that some weeks past, a capital speech had come from the Minister for India, giving a general account of the Government and trade of our provinces; and pointing out the propriety and necessity of renewing the Company's Charter, and so forth! In this capital speech, not a word was heard of the proposed increase of the influence of the Crown, though this was a necessary consequence of the system, which it recommended. To this increase I object, and I feel it to be my duty, solemnly, to protest against it, as fraught with danger to the Constitution, and as a measure which could only have been devised by the most strenuous advocates for despotic power. Why is this influence dangerous? Because it is irresponsible.

Is it to be placed in the hands of those who are to be vested with the real power? No! it is to be given to their agents and to their dependents, whose responsibility, from the nature of their situation, it is absurd to speak of. Upon the ground of this objection, and of others, which I shall immediately state, I feel it to be my duty to oppose the whole of this bill, as disgraceful to its proposers, and, if adopted, to this House; as dangerous to the Public in general, and repugnant to the principles of the Constitution, in particular, as the most ruinous of any that ever has been heard of. Taking this, therefore, as the ground of his objection, Mr. Fox considered it to be his duty to submit a few observations to the consideration of the House. Many of the Members would recollect, and all of them must know, that in the year 1780, he had successfully pointed out the extraordinary influence, then in the hands of the Crown. At that period, however, as the influence was independent of the Crown, he thought that it might be wise neither to increase it, nor to diminish it, but to leave it, as to quantity, where it then stood. A short time afterwards, upon a fuller view of the whole subject, he was decidedly of opinion, that it was highly improper to leave this influence with a commercial body, and that it ought to be vested in those, who, from their characters and situations, with respect to the Public, were better qualified to exercise it. This was the leading provision in the bill, which he had the honour to submit to the House in 1783; the fate of that bill, it was now as unnecessary, as it would be unavailing, to relate. But it was impossible for him to allow the accusations, which had been, in his opinion, improperly and unjustly brought against him, to pass, without refuting them, and reprobating them in the terms they deserved. These accusations were two-fold: first, that his bill tended to lessen and next to increase the influence of the Crown, though, in truth, it had neither of these objects in view. At that time he had stated, (and he now again repeated it) that his object was to take the power from the Directors, where it was most improperly placed, and to vest it in Commissioners, who were to be immediately under the control of Parliament. This was a subject, however, upon which he would not trouble the House, at any length, as it was not immediately before them; but this was his only objection to



enter upon the discussion. " I am convinced, said he, that the more that bill is examined, the more it will meet with, and find, the approbation of the Public. That bill had an object, and a clear and precise meaning; the bill now under consideration is the reverse of it in every respect. It has no defined object, and it has a concealed meaning; for, under the specious pretext of avoiding the objectionable influence in my bill, it grasps at the whole of Indian patronage, in a way totally disconnected with responsibility." Mr. Fox next observed, it could not be expected, that upon a third reading of such a bill, he would feel it to be his duty to enter at length into the subject. The manner, however, in which the right honourable gentleman, who had brought in the bill, had treated the point of influence, was such, that he could not allow his observations to pass, without taking some notice of them. It has been asserted, " that the patronage of India consists in the appointment of a few writers ;"—Now, if there is a man in this House! if there is a man in this country! if there is one man in any of the British territories in India, possessed of a spark of common sense, who can believe this assertion to be true, I wish him joy of his credulity. I ask any man who is not insane, in whom, if this bill shall pass into a law, will the whole of the patronage of India be vested? Will not the Company and their Directors be the mere tools of the Minister for the time being? Who appointed Lord Cornwallis, or Sir John Shore? Was it the Company? No! it was the Board of Control. Is this then the boasted measure which is to lessen the influence of the Crown, and to convey no new patronage to the Minister, or to give him no room to exercise his caprice or his prejudices in appointments in India? What in reality is this boasted bill? It is nothing but a continuation of that system of deception, fraud, and rapacity, which has marked the conduct of Ministers in the management of the affairs of India, and on other subjects. In what manner have Ministers conducted themselves in Indian affairs? Has the House forgotten, or must I recall to their memory the Declaratory bill? Did not the Minister for India then embrace the principle, of placing the whole of the territorial power in the Crown, and of appropriating the revenues to the maintenance of the military establishments there; though the bill of 1784

had no such principle, or any thing like it?—*Ex pede Herculem!* The Declaratory bill was founded on the 11th clause of the bill of 1784, the object of which is only “to afford the Board information, respecting the Company’s affairs abroad, and to require the Company to pay due obedience to such orders as they shall receive from the Board, touching the civil or military government and revenues of the British territorial possessions in the East Indies. The provisions of the Declaratory bill, however, gave to Ministers the uncontrolled power of appropriating the revenues of India to such military establishments, as they should think fit to create or employ. The Declaratory bill thus professed one thing, and by its provisions effected another.” Having referred to the preamble and the provisions of the bill, he asserted, that obtaining farther information respecting India, was its professed object, but vesting the power and revenues of India in the Crown, was its real object, and then pronounced, that the present bill was a continuation of the same system of delusion, deceit, fraud, and rapacity, which had been introduced by the bill of 1784, and by the Declaratory bill. The present bill pretended to wave all patronage, whilst it, in fact, grasped at patronage of every description! It affected to say, that responsibility was to be attached to those who were to exercise power; but, in fact, and in truth, it gave security to corruption, and a facility in the exercise of corrupt practices. “This I am entitled to affirm, because it will enable the Minister to engross the whole power, and yet screen him from all responsibility. Every thing, by it, is to be carried on by agents, who, from the nature of all governments, never can be made responsible for the corruption of those whose commands they obey. Upon these grounds I protest against the whole of this system; but as it may be expedient to renew the Charter of the East-India Company for a short time, I would propose, as an amendment, “that instead of the words one thousand eight hundred and eleven, the words fourth of March, one thousand seven hundred and ninety-eight, be inserted, being four years, the same period which I fixed on, as necessary in making an experiment, under my own bill.” In a commercial and a political light, Mr. Fox objected against the whole of the proposed system. In a commercial light, it pretended to give

an exclusive privilege, and yet admitted provisions which counteracted the whole of this privilege; so that, whatever commercial plans might be adopted in India, and however wise they many be, they might be overturned at the caprice of the Board of Control, though this Board might know infinitely less about the business, than the agents whom they were controlling. In the end, such an absurd measure must destroy the very spirit and vigour of the commerce. In a political light he protested, not less strongly, against the whole of this bill, because the power was to be left in hands, where there is no responsibility; and because he considered the whole system to be dangerous to the Constitution, if not subversive of it. Upon these grounds Mr. Fox concluded, that he must take the sense of the House on the amendment which he had proposed.

Mr. Chancellor PITT replied, that it must have appeared an extraordinary circumstance to the House, and to the Nation at large, that a bill of such importance should have passed to the very last stage of a third reading, with a quietness unexampled in the annals of Parliament; and that now it should be censured with ungoverned and angry words. The right honourable gentleman who has delivered them, perhaps withheld his opposition, during the earlier progress of the business, that he might, in the last stage of it, with collected and strong hostility, bear it down fully and finally. He has allowed, however, that the bill was of uncommon importance! He has admitted, that it comprehended provisions, interesting, in the last degree, to the concerns of the nation; and yet he must allow, that he himself had met it with a silence which was unusual to him, and scarcely compatible with the conscientious sense of duty, which had led him, in this last moment of discussion, to reprobate the whole system in its principle and in its provisions. For my own part, said Mr. Pitt, I am the more surprised at this novel conduct of the right honourable Member, knowing, as I do, from experience, his disposition to act hostilely against every measure of mine, or of my right honourable friend. The silence, from which I had augured his acquiescence, has, at last, been broken; he has now started from his slumber, with his usual energy and singular talent for vexatious opposition, and endeavoured to make up, by the asperity of his language, for his former passiveness; he appears

as if he had abstained, in the former part of the business, from his opposition, that it might now seem as vigorous as he might have wished it to have been, in the earlier stages of the bill, or in the other parts of the discussion. His vehemence was certainly not less than his eloquence; but he could assure the right honourable gentleman, for himself, and for those who acted with him, on the present occasion, that they felt too tranquil a satisfaction, in contemplating the measure they had the honour to submit to the House, and the general approbation with which it had been received, to be hurt by his angry expressions. To such peevish exacerbations I shall make no reply, nor shall my temper stoop to impressions from them. I will content myself with a comment on those parts of the right honourable gentleman's speech which seem to merit attention.

The right honourable gentleman has condemned the bill, as disgraceful to the proposers, and to the House, if they shall adopt it; and yet, he has not taken the trouble to point out in what the disgrace of either would consist. There seemed to be but three ways in which it was possible to account for this assertion. In the first place, that the bill had been indecently precipitated through the House, and all discussions upon it evaded or prevented. In the second place, that the right honourable gentleman, though convinced of the importance of the bill, yet had either been so lazy, or so remiss in his duty, as to have given no attention to the subject.

In the third place, that, though he condemned the bill, (as indeed he did all the measures of its proposers) yet, that convinced the provisions in it were unexceptionable, and that the more they were examined, the more wise and excellent they would appear, he had prudently shrunk back from the discussion, and had now endeavoured to atone for his former indolence and remissness, by angry and passionate expressions.

In one of the right honourable gentleman's assertions, and in one only, Mr. Pitt said, he perfectly agreed, that a capital speech had been made by Mr. Dundas. This, the House and the Public already knew; a speech which, for comprehensive knowledge of the history of India, and of the various sources of the British commerce to the East Indies; a speech, which, for solid sense and accurate reasoning, deduced from authenticated statements of Indian affairs, and for wise arrangements

or the administration of our Asiatic provinces, and of the general commerce of the empire ; a speech, which, combining objects formerly thought irreconcilable, presented one great plan for the improvement of the whole ; a speech which, he would venture to affirm, though it might have been equalled in that House, never had been excelled. It was singular, however, that capital as this speech certainly was, and important as the subject had been allowed to be by the right honourable gentleman himself ; yet, if my memory be correct, the right honourable gentleman heard only a part of that capital speech. He had thus avoided one of the means of attaining that information, of the want of which he now complained ; nor was this all ; for it was obvious that he had not even perused the whole of the evidence before the House, since he had fully demonstrated that evening, that he had not submitted to the trouble of reading either the bill itself, or the papers upon the table ; and it must be allowed that, though he had been liberal in his censures, he had neglected either to acquire knowledge from others, or to display his own on the subject. It would certainly be presumptuous in me, and indeed it would be unnecessary to aid the right honourable gentleman's memory, by informing him that a month had elapsed since the capital speech, which he has so justly complimented, was delivered ; and which was followed up by the general provisions in the bill being digested, in the form of resolutions, and printed for the consideration of the House. If this method has been precipitate, I really know not what can be calculated to promote discussion. Has not the right honourable Secretary, in the month of February, called the attention of the House to the subject of Indian affairs ? Has he not invited the manufacturing interests to bring forward their claims, and the Company to devise means by which those claims could be satisfied ? Has not the subject, for the last nine years, occupied the attention of Parliament at various periods ? Has not Mr. Dundas, in successive years, laid authenticated statements of the revenues and charges of the Company's affairs abroad before the House ?—Have not, in each of these years, resolutions been adopted, which mark the progressive stages of their improvement ? Have not all the papers, which could throw light upon the subject, been printed, and on the table before the Easter holidays ? And

have not general resolutions, founded upon them, been the basis of the present bill? Has the honourable gentleman forgotten, that the principles of a free trade to India, or the expediency of continuing the Company's exclusive privilege, were a subject of discussion, at the period when his own memorable bill was proposed, and the present system adopted? Or, has he forgotten, that it was then the general opinion, that the subject of free trade and monopolies would be discussed with most propriety, when the renewal of the Company's charter came to be under the consideration of Parliament? Has he forgotten that this would be the time when the great question respecting the government and revenues of India could be fully examined, or encouragements devised for the export and import trade? Has not the great subject of Indian affairs, hitherto involved in mystery, been rendered familiar to the House and to the Public, through the talents and industry of his right honourable friend? Have not the successive plans which have been suggested for the government of the British provinces and regulation of trade to the East Indies, been laid open? Has not the system before the House been brought to maturity, as the result of the knowledge drawn from those plans, and from an able and successful management of the Indian interests of the Empire? Has not more been done to throw light on this important public concern, than ever was done in the same space of time in any other department? Yet, this vigilant Statesman, with all this accumulation of evidence and information before him, either has not had time or inclination to honour the subject with his attention. To have conquered so many unexampled difficulties, in a subject the most complicated that ever engaged the attention of any man, must be a subject of proud triumph to my right honourable friend. To myself, it is the source of sincere and tranquil satisfaction, on the ground of public feelings, as well as of private friendship.

Such is the fact, both with regard to the information, and to the time given to consider the subjects comprehended in the present bill. Can, then, the honourable gentleman complain, or can any Member of the House complain, that any thing like surprise, or a wish to precipitate them into an adoption of the present bill, has been attempted? The answer is obvious; the right honourable gentleman has avoided opposition in the de-

tail, because he knew he would be unsuccessful in every point ; and now he brings his attack in general terms, and at the last stage of the bill, being willing only to expose himself to one defeat. I feel, however, the most entire satisfaction, when I contemplate the whole progress of the present measure ; more particularly, when I consider the efforts which the right honourable gentleman was disposed to make to counteract it, had he thought it prudent to oppose his own prejudices to the opinions of the Public. So far from hastening on the arrangement of Indian affairs, it was delayed till the very last moment ; for had not the war continued, undoubtedly this subject would have been examined in a former, rather than in the present, session of Parliament.

Mr. Pitt now proceeded to examine the observations made by Mr. Fox upon the commercial and political arrangements in the bill. It had been asserted, he said, that the exclusive privilege was to be continued with the Company, and yet that trade was to be opened ; and this had been condemned as an inconsistent absurdity, professing to do what it was impossible could be done, and consequently, as a mere job and political delusion. Upon this point, again, the want of information was complained of, though the truth was, that so far from wanting information to form his opinion, the right honourable gentleman must know, that there was too much information before the House for his purpose. He, therefore, had had recourse to the common-place topic, that a free trade was preferable to a monopoly, insisting, that the House ought not to forget this principle, unless very good reasons should be given for adopting a contrary one. This speculation, Mr. Pitt said, had been repeated a thousand times, by much less ingenious men than the right honourable Member, and scarcely could have been expected to be resorted to, as the force of it had been done away by his right honourable friend, when he first opened the subject, bottoming his argument, not on vague speculation, but on inferences drawn from history and from authenticated accounts. If his arguments and these proofs were not sufficient, why had not the right honourable gentleman called for farther documents ? His avocations, perhaps, might be too numerous and important, to admit of one moment being thrown away on the continent of India, though this had been the field

over which his talents and his hopes had so long expatiated with pleasure. Here Mr. Pitt asked, whether the claims of the manufacturers had not been listened to and provided for? and whether the exclusive privilege of the Company had not been rendered subservient to the resources of the Empire? Though both questions must be answered in the affirmative, and though the expedient adopted was not less wise than it was practicable, unfortunately it did not suit the right honourable gentleman's plan of opposition, and therefore it necessarily had incurred his censure. It had next been asserted by the right honourable gentleman, that the political regulations proposed for India, were not less objectionable than the commercial. Upon this subject he must be allowed to say, that the right honourable Member was either ignorant of, or had forgotten the state of India, since he had not adverted to one single circumstance in the present political administration of the Provinces, to which his assertion would apply. Leaving behind him, therefore, this subject, he had next resorted to the point of influence, but had not adduced a single example, in which that influence was to be increased by the present bill. On this subject, Mr. Pitt observed, that it was necessary for him to explain in what the influence from the appointment of writers consisted. Upon this point, he only wished the House to advert to the regulations under which the service in India is placed. The writer or cadet could only hope to rise to employments of trust, after he had passed through many inferior gradations of service. Offices of trust could no longer be given away at discretion, but were conferred on those whose rank, perseverance, and talents entitled them to this reward. The influence, therefore, acquired by Administration, from the appointment of writers and cadets by the Directors, (supposing that Court to be under the guidance of Ministers) was placed at so great a distance, that it gave no new or unconstitutional patronage to the Crown. Upon the influence from the appointment of Governors and Commanders in Chief, which the right honourable gentleman had asserted to be indirectly in the Crown, though directly in the Company; he would only say, that no new influence was here grasped at, since the existing system was only to be continued. This system, however, had been reprobated, as vicious and disgraceful; and these heavy censures, supported by a reference



to the 11th clause of the bill of 1784, though that clause was not in the least applicable to the subject. That clause, as the right honourable gentleman had said, went only to establish the power of the Commissioners for the affairs of India, to require the most full information from the Directors; but the sixth clause, upon which the declaratory bill rested, was overlooked by him, because it would not answer his purpose; for it establishes, "that the Board shall be fully authorised and empowered, from time to time, to superintend, direct, and control all acts, operations, and concerns, which in any wise relate to the civil or military government or revenues of the British territorial possessions in the East Indies;" so that the declaratory bill, in fact, was only a fuller explanation of the bill of 1784. Mr. Pitt next begged the attention of the House to a subject, which the right honourable gentleman himself had introduced, viz. the influence which his own bill was to give, compared with that at present under consideration. By the one, not only the appointments at home, but all the appointments abroad, were to be in his Commissioners; by the other, the whole appointments were to be left with the Directors, reserving (agreeably to the existing acts of Parliament) the power of recall to the King. However unwilling I am (said Mr. Pitt) to enter farther into this comparison, I must be forgiven for pointing out, that by the right honourable gentleman's bill, from writers and cadets to the highest offices in India, not less than four hundred offices were to be in the nomination of his Commissioners. I will admit that this bill did not apparently tend to increase the influence of the Crown; but a very slight attention to its provisions will discover (what is by no means paradoxical) that it either might be used to increase the influence of the Crown, or to diminish it, and in a manner subversive of the constitution. It would have increased it, when these Commissioners should chuse to act in union with the Crown; and it would have decreased it, when they might chuse to act independently of the Crown; that is, the right honourable gentleman's bill created an immense patronage, which was to be concentrated in a political party, formidable to the Crown when in opposition, and adding to its influence when in power. Upon this subject, however, the public opinion had been made up at the time, and had conti-

nued unaltered. Had that bill passed into a law, (and he thanked God that it had not) our happy constitution would have been subverted. The right honourable gentleman, indeed, had limited the power to be given to his Commissioners to the period of four years; that was, during the period of the existing Parliament; and, very probably, that might be his reason for the period to which he was now willing to extend the term of the Company's charter, without reflecting, that limiting the exclusive privilege to four years, would necessarily cripple the Company, preclude them from extending their commerce, and prevent them from contributing, in the manner the present bill proposes, to the resources of the nation. Mr. Pitt, therefore, concluded with observing, that if the House thought the subject had been sufficiently detailed, argued upon, and understood, they would negative the amendment, and agree with him in the period to which the Company's exclusive privilege ought to be extended.

Mr. FOX said, the right honourable gentleman had given no instance of the historical inaccuracy which he had imputed to him; but a bare supposition, founded not on recollection, but a presumption of the manner in which the Declaratory bill must have been argued. He could appeal to the recollection of those who remembered better, that it was defended on the clause of which he had mentioned the preamble; and with so much the more confidence that the words of another clause, now quoted by the right honourable gentleman as the ground of defence, would have been nothing to the purpose. That the preamble of the clause in which he said that bill was defended, seemed rather adverse than favourable to the argument, was of little weight; for it was the common character of the right honourable gentleman's measures to profess one thing in the preamble, and enact another in the enacting part. He was ready to own the charge of inattention to a certain degree, but it was a fault which he shared with others, who had thought as he did on India affairs on former occasions, and who had probably been less diligent in their inquiries at present, from believing with him and half the town, that the renewal of the charter was not to be concluded this session of Parliament. He had heard at least three fourths of the capital speech of the right honourable gentleman (Mr. Dundas,) who

opened the business; and well remembered, that in presenting his propositions he said, that the proper time of discussing them, would be at a future stage. When they appeared in the form of a bill, it was hurried forward, with unusual precipitation; for it was read a second time on Friday, and committed for Monday. The papers on the table were not sufficient information on a subject of such magnitude. The House ought to have gone into a Committee of Inquiry on the commercial part alone; and it was more peculiarly the duty of Ministers to take care that the information should be full. It was no doubt a very honourable office, which it was attempted to assign to him, but an office which he begged leave to decline—That he was to be the mover of inquiry upon all occasions, and that when he forbore to move for more information than Ministers chose to give, he was then to be precluded from saying that more was necessary. His India bill had been charged with creating a new influence, when in fact it did nothing more than transferred to a Board of Commissioners the influence which the Court of Directors before possessed—but those Commissioners, it was said, would have been his Commissioners—His Commissioners!—Let the House recollect the names of those Commissioners—Earl Fitzwilliam, whom he should never mention, but to express the affection which he felt himself, and the esteem which he felt in common with all who heard him, at their head, and say whether or not they would have been his Commissioners.

The House divided on the amendment,

Ayes, 132; Noes, 26.

The only other clause which called the attention of the House, was that for sending chaplains, schoolmasters, and missionaries, to promulgate useful knowledge and the true religion among the natives of India.

Mr. HUSSEY objected to this clause, as bringing an unnecessary burden and expence upon the Company.

Mr. WILBERFORCE warmly supported and recommended it. Resorting to history, and to extracts from the letters of several of the more eminent servants of the Company, he inferred, that the natives of India, and more particularly the Brahmins, were sunk into the most abject ignorance and vice; and that it would be disgraceful to the British nation to

do less for enlightening and informing the minds of at least fifteen or sixteen millions of their Indian subjects, in this deplorable situation, than the other nations of Europe, less instructed, and less powerful than we were, had done for their subjects in the East; more particularly, when no better apology had been offered, but that of saving an expence, which must be trifling compared with the importance of the measure.

Mr. DUNDAS assured the House, and Mr. Wilberforce, whose humanity and whose principles he equally admired and respected, that he had difficulties respecting this clause; not because he was less anxious than the honourable mover to promote so beneficent a purpose, or because he was not convinced, like him, that the truths of religion were the best means for promoting the happiness of mankind, but because he was doubtful whether the means proposed would answer the important end intended by them. In every age, the Hindoos, though they were a timid and innocent people, yet had been singularly bigoted in their religious prejudices; he was, therefore, doubtful whether any system of proselytism would answer the beneficent end in view. The object, however, he wished not to lose sight of, but, on the contrary, would endeavour to obtain the fullest information respecting the means by which it could be most practicably effected. The passing, however, of the present charter, did not (as had been supposed) preclude the House from taking up the subject for twenty-one years; on the contrary, it was open to discussion, at any time, during that period. If the House, therefore, could agree to omit this clause, he was ready, upon a future occasion, to give it every consideration, which its importance required.

Mr. FOX objected to the whole of the measure, not because time was necessary for him, to satisfy his doubts upon the subject, but because he considered all systems of proselytism as wrong in themselves, and as productive, in most cases, of abuse and of political mischief. The church established in this country, was not paid for, with the object of making proselytes, but because the system of religion which it professes to teach is that one which is the most approved of by those who pay.

After a few observations from the Master of the Rolls, on the expediency of delaying this measure to another session,

Mr. WILBERFORCE agreed to striking out the clause, with an intimation that he should bring it forward in a distinct shape next session.

The bill was then passed, and the House adjourned.

*Monday, 27th May.*

The Hon. Mr. ELLIOT moved, that the order of the day, for receiving the report of the Committee on the bill for disfranchising certain electors of the borough of Stockbridge, should be read; which having been read accordingly;

On the question, that the report be now received, a debate of considerable length took place; in the course of which, it was argued, in support of the bill, and in favour of the motion, that the evidence appearing on the minutes of the Committee, went to prove in a clear and satisfactory manner, that a majority of the electors at the last election, had been guilty of corruption—That in such a case, it was proper and just to make an arrangement for preventing similar abuses in future—That the laying open the borough, was the best means of attaining that object, and was not to be considered as a matter of experiment, because the good effects of it had been ascertained in other cases, particularly in the case of Cricklade, and that the bill did, by no means, go to incapacitate any of the electors of the borough of Stockbridge, but only to extend the right of voting to certain other persons, who were to enjoy it along with them:—On these grounds, the motion for receiving the report was supported by Mr. Elliot, Mr. Buxton, Mr. Serjeant Watson, Sir Francis Basset, and Mr. Hardinge.

On the other hand it was denied, that there appeared, in the minutes of the Committee any evidence which could satisfy the House, that a majority of the electors had been guilty of corruption, or indeed that any of them had been so—that the right of elective franchise was, in true legal and constitutional language, a valuable and important right and privilege, the communication of which to others was in fact an incapacitation, to a certain extent, of those by whom it was at present enjoyed; that, in this view the present bill was truly a bill of pains and penalties, and was therefore unjust, both as proceeding without evidence of guilt, and because it would operate as an *ex post facto* law, against persons who had no intimation *a priori*, that, by acting as they did, they would be subjected

to such a punishment as was inflicted by the present bill. On these grounds the motion was opposed, and a negative given to the bill, by Sir Richard Hill, Mr. Welbore Ellis, Mr. Powys, Mr. Barham, and the Attorney and Solicitor Generals.

The House divided,

Ayes, 33; Noes, 42.

Majority against the bill, 9

The House adjourned.

*Tuesday, 28th May.*

After some private business, several revenue bills were moved for by Mr. Rose.

Mr. TAYLOR called the attention of the House to this business. He said that it was expected the session would conclude about the birth day, and if so, there could not be time for the proper discussion of much important business, and he must say, he did not think that any thing was so deserving of the severest reprobation of the House, as the practice of delaying, to the end of the session, business of magnitude and public importance, because it was impossible for many of the Members to be present at this time of the year, for they must have a season for attending to their concerns in the country; he therefore begged it to be understood that this mode of conducting the public business met his reprobation.

Mr. ROSE observed, that the business now brought forward was not of the importance the honourable gentleman supposed, and would not require the discussion he imagined.

Mr. SHERIDAN said, that this mode of proceeding was highly improper, and he must say, that it appeared to him to attach blame to the conductors of it. Last year this very practice was complained of, and he understood the honourable gentleman to have been a little pledged to bring business forward early in future. With regard to the observation, that what was now to come on, was not very important, and would not require much discussion, that, Mr. Sheridan said, was a point which the practice of the honourable gentleman prevented from being ascertained, for who could know, without an opportunity of judging, whether it was important or not. For this reason he should move, that these bills, and the clauses which might be offered on them, should be printed,

that the House might have an opportunity of examining them properly. He was the more induced to do this, from recollecting the manner in which many measures had been passed and smuggled through the House, under the assurance of the honourable gentleman, that they were not important, which afterwards were discovered to be so important, that the House had been obliged to explain, alter, and amend them.

Mr. ROSE denied that he had caused any measure to be smuggled through the House; with respect to the bills which were now before it, he had no objection to their being printed.

The House, in a Committee of the whole House upon the corn bill, after much discussion, came to some resolution, the report of which was ordered to be received on Friday.

By a message from the Lords the House was informed, that their Lordships will proceed farther in the trial of Mr. Hastings on Wednesday se'nnight.

Mr. BURKE said, that for him and the other managers just come from Westminster-Hall, who knew what evidence had been given upon this trial—to what volumes it amounted—the necessity there would be for, and the time it would and unavoidably must take in printing, the space allowed by their Lordships appeared too short. Their Lordships, he feared, measured the power of others by their own strength; had they not, it would have been impossible for them to require the Managers to be ready to proceed to their reply by the time now proposed; he felt himself bound to thank their Lordships for the compliment of measuring his and the other Managers abilities by the extent of their own, but he felt himself bound to decline the honour of accepting the task of proving the truth of the compliment. There were several reasons for this on the part of the Managers; much of the evidence was unprinted, and by some it was perhaps unread, and to come to a determination on this unprinted, unread evidence, did not appear to be either very just or judicious; he was therefore of opinion it was impossible for the Managers to comply with their Lordships' kind invitation to Westminster-Hall until they had more ample materials to proceed upon than they could have on the appointed day. But to be very serious, he said, there never was a more important point to be considered in the whole of this business than that which was now before the

House. Their Lordships, no doubt, had fully considered their own dignity by the message which the House had just received from them. But the cause of justice required the Commons of Great Britain to take time, and to give to the Managers directions upon this very serious business; for this purpose he thought of moving that the House should not proceed farther on the trial of Warren Hastings until they have farther knowledge upon the subject. The person accused had this day in the Court at Westminster-Hall made such an extraordinary appeal to the compassion of his judges, and intimated something of an affected delay on the part of his accusers; he had talked of his declining life, and his ruined fortune, and affected to say, that he suffered from the injustice of the Managers. In order, therefore, that these calumnies should appear in their proper colours, he held it his duty, and accordingly did inform their Lordships, that he should apply to his constituents, the Commons, for farther instructions, and that he should submit to the orders of the House. He held it also to be proper that the proceedings of this trial should have as much publicity as possible; and therefore he should, at a future day, urge the House to come to a declaration upon the whole case, previous to the Managers making their reply. But in order to follow the example of the House upon a former occasion, he should move, that the journals of the trial of Lord Oxford in 1717, be read, which being done—it appeared, that his Lordship stood impeached; and that on the 30th of May, the Lords sent a message to the Commons, stating, that they would proceed farther in that trial on the 13th of June; in the mean time a Committee was appointed to report to the Commons upon the subject of that trial. Their report stated reasons for not proceeding to the trial on the day appointed by the Lords, on account of its being necessary to review papers, &c. and on account of the trial having been interrupted by public business, &c. The House of Commons then ordered a message to the Lords stating, that they could not proceed to the trial at the time appointed for it; this message went to the Lords on the 13th of June, and their Lordships farther adjourned the trial to the 24th.

Mr. Chancellor PITT recommended this proceeding to



be left in the first instance, as in the case quoted, to a Select Committee.

Mr. BURKE assented.

Mr. FOX said, he should second the motion for a Select Committee, although he should have approved rather of a Committee of the whole House; he hoped they would make their report as speedily as possible; but if after that report was made, any other measure should be proposed that tended to the publicity of the proceedings of this trial, it should have his hearty concurrence. The trial of Lord Oxford had been quoted as a precedent upon this occasion; that trial was not like the present; no disrespect came from that accused person to his accusers. But the defendant had this day been advised to insinuate that there had been an affected delay on the part of the Managers of his prosecution; he had made this insinuation too in such a manner, as to make it impossible for the Managers to guess to what part of their conduct he alluded. He cared not indeed to what part he alluded; for when the whole of the proceedings came to be made public, and when the conduct of the Managers of the prosecution came to be compared with the conduct on the part of the defence, there would be ground to rejoice on the part of the prosecution. He was sure that the insinuation of the defendant of dilatoriness on the part of the Managers was without example the most unfounded. He therefore wished that some mode should be adopted to promote the publicity of the whole proceedings, to shew to the world at large, that the Managers and the Commons had done their duty—that, however, was matter for subsequent consideration; he hoped that this Select Committee would proceed to business as early as possible.

Mr. GREY approved of this measure.

Mr. BURKE then moved, “ That a Committee be appointed to consider the state of the impeachment against Warren Hastings, Esq. and report the same to the House.”

The following gentlemen were then appointed for the Committee.

Mr. Burke  
Mr. Chancellor Pitt  
Mr. Wilberforce  
Lord Mornington

Mr. Jenkinson  
Mr. Ryder  
Mr. Baker  
Mr. Powys

Mr. Hufley  
 Mr. Charles Townshend  
 Lord Carysfort  
 Mr. W. Smith  
 Mr. Windham  
 Mr. Dent  
 Mr. Lambton  
 Mr. Carew

Mr. Dudley North  
 The Secretary at War  
 Mr. Fox  
 Mr. Sheridan  
 Mr. Grey  
 Sir M. W. Ridley, Bart.  
 Mr. Whitbread, jun.  
 Mr. Wigley.

Mr. BAKER said, that the subject to which he meant to call the attention of the House was so immediately connected with the important business which had just been under their consideration, that he was desirous to bring it forward before any thing else should intervene. He alluded, he said, to a paragraph, in a newspaper called *The World*, published yesterday, which appeared to him to be a most scandalous libel upon the Managers of the impeachment against Mr. Hastings, and, through them, upon that House.

He was convinced that such words, as were there stated to have passed, never did nor could have actually passed. [We understood, from the subsequent conversation, that Mr. Baker alluded to some expressions stated to have fallen from the Archbishop of York.] He had not made up his mind how it might be proper to proceed in the business; and, thinking it sufficient for him to have taken notice of it, he would wish to leave the mode of proceeding to the wisdom and discretion of the House: but, in whatever way it might be thought proper to take up the business, he was desirous that it should be proceeded in as formally and as speedily as possible. It was not, he said, his intention to proceed to any discussion of the business at that time, and he therefore believed it had been rightly suggested to him, by his right honourable friend (Mr. Burke) that it would be better not to read the paragraph he had mentioned; for, to read it, and to proceed upon it instantly, he was sure would be impossible; he would therefore content himself with giving notice that, on Thursday next, he would bring the matter before the House, in such a shape as should, upon consideration, appear to him most proper.

Mr. C. TOWNSHEND urged the propriety of delaying the business, at least for the present, on account of the recent loss in the family of the most Rev. Prelate whose name had been mentioned in it.

Mr. Baker, Mr. Burke, and Mr. Sheridan, said a few words on the subject; and Mr. Baker agreed, in the meantime, to withdraw the notice he had given for bringing forward the business on Thursday next.

Adjourned to Thursday.

*Thursday, 30th May.*

Mr. Chancellor PITT acquainted the House, that he had a message from His Majesty to this House, signed by His Majesty; and he presented the same to the House, and it was read by Mr. Speaker, and is as followeth, viz.

GEORGE R.

*His Majesty, being desirous that the annuity of two thousand pounds, which, in consequence of the eminent and signal services performed by the late Lord Rodney, was granted by an act of the twenty-third year of His Majesty's reign to the said Lord Rodney, and to the two next persons on whom the title of Lord Rodney should descend, should be further continued to the persons on whom the title of Lord Rodney shall hereafter descend, but His Majesty not having it in his power to extend the said grant beyond the existing term, recommends it to his faithful Commons to consider of a proper method of extending and securing the same, in such manner as shall be thought most effectual for the benefit of the heirs of the said Lord Rodney, on whom the said title shall descend.*

G. R.

Resolved, "That this House will, to-morrow morning, resolve itself into a Committee of the whole House, to take His Majesty's said most gracious message into consideration."

Mr. CHARLES TOWNSHEND brought up the report of the Committee appointed to inquire into the state of the impeachment against Warren Hastings, Esq.

The Report stated, that the Committee had made inquiry into the state of the impeachment, and found that in consideration of the defendant's case having been closed, and much evidence not yet printed, as well as the speeches of Counsel, the Managers could not be prepared to proceed to their reply at the time appointed by the Lords for that purpose. That with regard to the charge on the head of Benares, they would be ready to proceed on the 12th of June, but could not be

ready in the other charges for a considerable time, probably not less than four or five weeks.

Mr. TOWNSHEND then moved, "that a message be sent to the Lords, to acquaint them with the reasons why this House cannot proceed to the trial of Warren Hastings, Esq., at the time appointed, and to desire that the same may be put off to a future day."

Mr. WIGLEY said, that the House should not assent to any proposition which tended to protract this trial, already protracted much too long. He had the honour to be one of the Committee who prepared the Report now before them; that Committee were satisfied of the propriety of it; he was not; and, upon a view of the whole case, he was satisfied that the message now proposed ought not to be sent to the House of Lords, consistently with the dignity of the House of Commons, for they ought to be ready to proceed, through the medium of their Managers, on the day appointed by their Lordships. He then stated the conduct of the Managers to have been, in his opinion, the chief cause of the great length of the present trial; that they put questions to witnesses which were irregular, and had offered evidence for the prosecution which was inadmissible, and that the Judges had often been of that opinion when the Lords took their advice upon these points. With respect to the Report now upon the table, he considered it to have been framed chiefly from the advice and opinion of a right honourable Manager who was one of the Members of the Committee (Mr. Burke). He had asked that right honourable Manager, in the Committee, some questions relative to some of the charges of the impeachment, to which he had not received satisfactory answers.

The SPEAKER called the learned gentleman to order, and informed him that he could not regularly state to the House any thing upon the subject of the Report that was not in the Report itself, unless he intended to move for its recommitment.

Mr. WIGLEY then proceeded to state, that as the right honourable Manager had for so many years attended to the affairs of India, and for that purpose had read books at the India House, he could not be unprepared to proceed upon this business at this time. He hinted that Mr. Hastings was un-

fairly treated on the part of this prosecution, and that, to his knowledge, had not Mr. Hastings applied to his own friends, Members of that House, to attend early, a House would frequently not have been formed to proceed to the trial in time sufficient for business in Westminster Hall. He maintained that no delay came from Mr. Hastings on the part of the defence: he was clearly convinced, on a view of the whole subject, that farther time ought not to be allowed to the Managers to proceed upon this trial.

Mr. FOX said, that the learned gentleman had opposed the motion now before the House upon fair ground, namely, upon the ground of delay; that delay he had pretty plainly imputed to the Managers: the question, therefore, must be with regard to that learned gentleman's objections, whether the Managers had been guilty of any unnecessary delay, on their part, in the course of this trial? First of all, he begged leave to protest against the truth of the allegation, and to declare, that to his knowledge there had not been, on the part of the Managers, any delay whatever. He did not say that there had not been delay some where, nor that such delay might not have been necessary; all that he asserted was, and he pledged himself to prove it before he sat down, that whatever delay there had been, or whether it was necessary or unnecessary, it did not proceed in any one instance from the Managers. Supposing, therefore, for a moment, that this was the case, which he promised he should be able to prove, he would then ask, whether there was a man in that House, in this country, or in this world, who knew any thing of the nature of this proceeding, who did not know that that which had taken up so much time already for evidence, did not also require great time for deliberation? Was it not possible that there should be more evidence to be offered on the part of the prosecution when that on the part of the defence came to be deliberately examined, in order to rebut the evidence on the part of the defendant? Did not this rule apply to the other side, when the prosecution was closed? Did it not apply to all judicial proceedings, and more particularly to those of a criminal nature? Let the House look at the course of the trial from its commencement. On the part of the Managers, much of the time had been taken up in reading the articles of charge, and the evidence to sup-

port them ; and let them look at the different mode adopted for the other side. On the part of the prosecution, the whole of the evidence, at the request of the defendant's Counsel, was read at length. On the part of the defence, various parts of the evidence were entered as read, for the purpose of saving time, referring to volumes of books to be printed by the Managers, before they should proceed to reply. The Managers might have insisted on the evidence for the defence being read at large, like that on the part of the prosecution ; but for the purpose of avoiding delay as much as possible they had consented to this expeditious mode. He was not blaming the Counsel for the defendant for insisting on all the evidence from books, on the part of the prosecution, being read at full ; perhaps they were very right ; but then he expected that there should come from that quarter no complaint of delay afterwards, especially when out of favour to them the Managers had consented to shorten the evidence on the part of the defence, and giving it all the effect which it could have from being read, by consenting to enter it as having been read at the trial, and consequently printed with the other evidence. This the Counsel on the part of the defendant could not have done without the consent of the Managers, and yet those very Managers, who had been compelled to go through their own evidence at full length, because the Counsel for the defendant insisted upon their doing so, and who had consented to accommodate the defendant with the best mode of managing his defence, because his Counsel desired it for the sake of expedition, were now to be charged by these very Counsel with having wilfully caused delay on the present trial. But it had been said, that the Managers had occasioned delay, by proposing questions which could not regularly be asked, and that the opinion of the Judges had been often given against them upon that occasion, and that they had offered evidence which was inadmissible. Upon this he must confess, that if there was any reproach to attach to the Managers for such conduct, he was ambitious of having his share of it, and he claimed a great one.

He should not now say any thing upon the opinions of those who thought the proceedings of the Managers vexatious in that respect ; he would be contented with observing, that whatever

their Lordships might think upon the propriety of refusing evidence offered by the Managers, he thought that the Managers would have been highly reprehensible if they had neglected to tender it, and that the general ground for refusing to receive that evidence appeared to him ridiculous, and the argument upon it preposterous ; for it was said, that although the evidence in itself might amount to something, yet it would not raise a degree of presumption in its favour to entitle it to admission, thus taking the weight of evidence as an argument against its competency ; and with respect to the opinions of the Judges, he could only say, that the Managers never knew the principle on which they proceeded, as they always gave those opinions before the Lords, shut up in their Chamber of Parliament, to the absolute exclusion of strangers ; and therefore from such opinions given in the dark, and to the Managers totally behind the curtain, they had no rule for their guidance and improvement, and therefore they were obliged to persist in every question they put that might have been objected to by the defendant's Counsel, not knowing what the Judges would approve or what they would disapprove. The next consideration was, upon the matter of fact, with respect to the time which the discussion of this impeachment had already taken up. It was said, it had lasted six years. It had so ; how many days had been employed in that period ? Only 116. In one year only 20 days had been allowed. If the Lords required any extraordinary diligence from the Managers, their Lordships, from the example they gave, did not require that diligence with a very extraordinary good grace. The Managers, however, did not wish to be extravagant in their requisitions to their Lordships ; for they asked only for a week upon important ground for proceeding upon this trial, although the Lords had taken months for themselves without condescending to assign any ground whatever. How stood the case with respect to speeches before the Lords upon this trial ? Upon the Benares charge, which he had the honour of opening, he spoke only one day, and an honourable friend of his another day. Two days were consumed in speeches from the Managers on this point ; eight were taken up by the Counsel for the defendant in answering this. He did not say that the Counsel took up too much time ; he dared say it was too little for the busi-

ness they undertook ; but he mentioned this to shew how the truth was with regard to the question of delay. Another thing was to be noticed upon this trial, and it arose out of the circumstances of its commencement. When the Lords said to the Managers that they should not ask for judgement charge after charge separately, but that Mr. Hastings should hear the whole of the charges to be exhibited against him before he should be called upon to make a defence to any, — why was this rule not to be followed with respect to the Managers in making their reply to the defence of Mr. Hastings ? Why was one rule to be followed by the defendant, and another to be marked out for the prosecutors ? For, according to the mode allowed Mr. Hastings for his defence, the Managers ought to have time to peruse the whole of the defence before they proceeded to reply to it. And if the Counsel for the defendant required time to answer the speeches of the Managers, and to rebut the evidence called for the prosecution, why was there not to be time for the reply in the same manner ? He would go farther, and say, that even if he had known a good while ago that the defence would have been closed at the time it was, he was then entitled to think and expect from the conduct of the Lords, upon former stages of this trial, that they would not have called upon the Managers for their reply till the next session of Parliament. How stood facts upon this point ? On the 14th of February, 1791, the House of Commons sent a message to the Lords, importing that they were ready to proceed upon this trial : what were their Lordships pleased to do ? Not a word was heard from them until the 17th of May, and then, as might be supposed, they made up by their activity for their past neglect. How stood the fact ? How many days did their Lordships allow to the Managers to proceed upon this trial in the whole of that year ? Only four, and on the 30th of May their Lordships' diligence closed for the season. Did they then tell Mr. Hastings that he must make up his defence to what had been exhibited against him in a week, as they called upon the Managers to reply ? Nothing like it, for they allowed him time to the next year. Was there one law for Mr. Hastings, and another for the Managers ? He confessed, that, upon every view he had of the subject and the conduct of the Lords, he expected that they



would not have called upon the Managers for their reply until the next session. Another part of the business was alluded to by the learned gentleman, which was, that Mr. Hastings had been obliged to request his friends to come down to the House on the day of trial in time to form a House, to prevent delay that must otherwise have happened. Upon this he must say, that there might, out of the 116 days which had been taken up in this trial, be three or four on which perhaps the Lords might have waited for the Commons for perhaps the space of half an hour: this, he presumed, was not very disgraceful to the Managers, nor very extraordinary, for on some days the Chancellor did not come before three o'clock in the afternoon, frequently at one, and if he should by accident, without any intimation to the Managers, be in the Hall at twelve, it was not very surprising that the Managers were not in Court much before one o'clock. If this was laid as matter of blame upon the Managers, he did think the weight of the accusation not more than they could very well bear, without thinking themselves likely to be weighed down by it. It seemed, however, that now Mr. Hastings called for expedition in the course of this trial, in hopes of having final judgement this session. Was there any body possessed of the least knowledge of this subject, who had the least idea that final judgement could be obtained in this mighty business this session? If there was, he confessed himself bound to admire his candour and his confidence in the diligence of the Lords. The most remarkable part of the objections now started against the delay of the Managers was yet remaining. It was pretended that the Managers must know, or might have known, the whole of the evidence long ago, for that the whole of it might have been printed. To which he answered, that was impossible, for a great part of the evidence, on the part of the defence, had, by the express desire of the defendant's Counsel, not been heard as yet by any body in that Court, having been carried on from page to page, and entered upon the trial as read, to be printed hereafter; and even this could not be ready even for their Lordships before the very day on which they had called upon the Managers to appear in Westminster Hall to rebut it; and how could the Managers do justice to that House, to themselves, and to the public, in support of this prosecution under

such singular circumstances, if they were to comment upon evidence which they never heard? With regard to the speeches of the learned Counsel for the defendant, he confessed himself unable to reply to them also, without time to read them from the transcript of the short-hand notes taken at the trial; for under the idea of being allowed to have that advantage, he had waved the thought of taking full notes himself, and he must say, that however great and splendid might be the talents of the learned gentleman who spoke last, he did not think that even he would be well pleased if he was called upon to reply without the assistance to which he alluded. Was it therefore now fit that the Managers should be called upon to reply in this situation? Were they to comment upon 206 pages of evidence which they had not, and which they could not have read? Were they to reply to speeches which took up altogether near twenty-four hours to deliver without reading them, and thinking on the arguments contained in them? He confessed himself unable to do so in less than a fortnight, more he did not require. There was another point which he had hinted at before, which was, that it was possible that evidence should be produced in reply, and yet gentlemen persisted in saying, that the Managers ought to go on without farther time, before they had seen all the evidence on the part of the defence. How was it possible to know what the evidence, which had been entered as read, might turn out to be? When gentlemen came to consider these points properly, he hoped the time the Managers asked would not appear too much, and that they were not guilty of delay on their part in taking it, if allowed. He was ready, after the time proposed, to proceed upon the subject of the Benares charge, at the same time he doubted the expediency of it. But with regard to the other charges, he must say, it appeared to him to be neither consistent with the character of that House, nor with justice, to proceed upon the others, until much more time was taken to consider of the whole of the defence which had been made to them; rather than to attempt to answer the defence, it would be better not to answer at all, but to leave the case as it stood, and call for judgement on it: he was, however, far from being sure that even that would be of any avail to the defendant, for the purpose of having judgement in the present session. Having made these observations,

he must say, he was glad that this debate had taken place, and he was under some obligation to the learned gentleman whose opposition had produced it, because it had afforded him an opportunity of proving what he trusted he now had proved, and what he had often asserted, that the more this subject was investigated, the clearer it would appear, that be there any delay any where, none of it was imputable to the Managers. On their part there had not been an attempt at any dilatory proceeding. He defied any man, in any situation, however great his talents or abilities, to prove that the Managers had neglected any part of their duty in the course of this arduous proceeding, or to impute to them any corrupt motive, or to show what inducement men, situated as they were, had to have any corrupt motives upon this subject.

The SOLICITOR GENERAL, after some explanation of what he trusted would result from the present motion being carried, gave it his assent.

Mr. VANSITTART agreed to it also under a hope that the whole business would terminate in the present session, and that some regulation should take place, by which impeachments in future might be prevented from extending to the grievous length of the present.

Mr. BURKE defended the conduct of the Managers, and supported the motion.

Mr. BURTON expressed some concern at hearing that part only of the reply should be made this session. He observed, there were two things to be considered on such an occasion as this: the first was, that justice should be done; the second, that the public should feel that justice had been strictly attended to. He thought the trial had already lasted so long, that it was doubtful whether it could be said that justice in mercy had been administered to the defendant, and if it went over to another session, he was doubtful whether the public would feel it so.

Mr. Chancellor PITT supported the motion, and bore honourable testimony of the conduct of the Managers, and maintained that they ought to be supported by the House. A learned gentleman had expressed some anxiety on account of the reply on the part of the prosecution not being likely to be concluded in the present session. He begged leave to observe,

that that did not belong to the present question before the House ; if the Managers were compelled to proceed upon the charge of Benares before the time they thought they should be ready, he did not see how that circumstance would better enable them to proceed upon others. He thought the time proposed beyond the day appointed by the Lords by no means too much. The character of the House, and the honour of the nation, were involved in this proceeding, and he was clearly of opinion that they should avoid precipitation as much as they should fear the imputation of delay ; and if the Managers were called upon to make their reply before they were prepared, the consequence must be obvious to every gentleman in that House. He was persuaded, that to prepare for the reply altogether, six or seven weeks would be only a moderate time. Whether the whole could be concluded within the present session, was not a question to be debated now ; he only said by the way, that it appeared to him to be absolutely impossible. If deferred to another session, that might certainly be called some delay ; it appeared to him to be unavoidable, but he did not think that final judgement would thereby be retarded. There could not be a shadow of excuse on the part of the Managers for not being ready next session to go on from day to day until the whole was concluded, and then time might be allowed for their Lordships to receive the evidence, and to compare the charges with the open speeches, and the defence and the reply, and finally to pronounce judgement.

The House divided ;

For the motion, 87 ; Against it, 42.

A motion was then made, " That the Commons do acquaint their Lordships, that from the consideration of the case of Warren Hastings, Esq., having been closed sooner than there was reason to expect, and that as time will be requisite for printing the evidence and the speeches of the Counsel for the defendant, the Managers can in no case be sufficiently prepared to proceed at the time appointed, and therefore they desire that it may be put off to a future day."

Mr. WIGLEY opposed the motion.

Mr. RYDER moved an amendment to it, which was, to leave out that part which related to the speeches of Counsel.

This produced a short conversation, which ended in the amendment being withdrawn, and the original motion agreed to.

Mr. BURKE took notice of the impropriety of suffering false impressions to be made upon the public mind respecting this trial, through the medium of certain prostituted channels, and by means of insinuations thrown out in that House, and at another place, that delay had been the object of the Managers; and reminded the House of what was due to their own dignity, to the character of the Managers, to the honour of the British nation, and the regard they ought to have for the opinion of posterity. He concluded with moving to the following effect:

“That the Managers of the impeachment against Warren Hastings, Esq., do prepare and lay before the House a statement of the proceedings on the trial of the said impeachment, together with an account of the circumstances which have occurred in the course of the said trial, with such observations as may tend to the explanation of the same.”

Mr. LONG said a few words against taking up the time of the Managers in this way.

Mr. WIGLEY moved the previous question.

Mr. SHERIDAN defended the motion with great ability: he ridiculed the idea of there not being time for the purpose, and observed, that the Managers had several hands unemployed at this time, and; indeed, that he was unemployed himself, and should be so with regard to this impeachment until the speeches and the evidence alluded to in the course of this day should be printed; for he should not begin to think what he should say in reply before he knew what he was to reply to; the arguments, and perhaps the tropes and figures of the learned Counsel for the defendant, might not require any extraordinary efforts; but he must be acquainted with facts, and the application which they made to them. He could wish, for instance, to know what sort of a reply either of the two honourable gentlemen would make, without reading it, to the speech of Mr. Plomer, which lasted four days; if they printed it, Mr. Sheridan said he certainly would read it, not because he was sure they had overturned the arguments of the learned Counsel, or commented ably on three folio volumes, although they might think so, but

that such a reply must in its nature be a curious and entertaining performance.

Mr. FRANCIS said, he should offer but one short observation on the violent opposition made to the motion of his right honourable friend. The fact, he trusted, would make a proper impression on the House, and on the Public. In the course of the present debate, as well as on every other occasion that had offered, both within doors and abroad, a certain set of men had made it their constant business and study to load the Managers with the basest accusations, by calumny, by insinuation, and by the most false and infamous slander, with a view of persuading the Public that the Managers had purposely delayed and protracted the trial, to the vexation and oppression of Mr. Hastings, and to the disgrace of public justice. But now, what was the conduct of the same persons, when his right honourable friend came voluntarily forward, and offered to lay a state of the facts before the House, and before the nation? Instead of meeting him fairly on the truth of their own charges, they turned short upon him, and said, they would hear nothing of facts: they would not suffer him to clear himself and his fellow Managers from their malicious calumnies. They could abuse and calumniate; but, when they were dared and challenged to a fair trial, they shrunk like cowards, and fled from the proof. What farther evidence could the House or the nation desire, than that every word these persons had uttered on the subject was utterly false, and incapable of being supported. Let this fact go forth to the world with all the rest of their proceedings.

Mr. Morris Robinson and Mr. Vanstittart said each a few words.

The SOLICITOR GENERAL was against the motion.

Mr. TAYLOR supported it.

Mr. Chancellor PITT thought that this motion was not strictly necessary, and he saw no parliamentary ground upon which that House should call upon the Managers to give to the House a formal account of their conduct, and therefore the motion appeared to him to be needless. If any complaint had been made against them, the House should vindicate their character; but that not being the case, he owned he wished the House not to proceed to a step so unusual as that involved in the

present motion ; he therefore wished he could prevail on the right honourable gentleman to withdraw it.

Mr. BURKE answered the arguments urged against the motion, and appealed to the justice of the House to vindicate his character against the gross calumnies with which it was loaded, and expressed great indignation at the manner these calumnies had been suffered to pass without proper notice. He concluded with leaving the case entirely to the sense and pleasure of the House.

Mr. RYDER was against the motion upon the grounds urged by the Chancellor of the Exchequer.

Mr. SHERIDAN supported the motion with great force. He observed, that if the House had any delicacy upon appointing the Managers to make a report upon a subject which concerned themselves personally, that would be easily removed by appointing the same Committee as that whose report the House had this day received. He maintained, that when the conduct of the Managers was arraigned, the Public ought to have a fair statement of that conduct ; there was nothing so necessary as a real statement of facts upon this subject. If, for instance, it was known by the Public, that had the Lords met *de die in diem*, the Managers would have been ready to do so, and then the whole of the trial would have been over in one session of Parliament, instead of lasting, as it had, for six years. If these things were publicly known, they would have a good effect upon the Public. If it was known, that in the year 1791 the Lords allowed only four days for this trial—in the preceding year only fourteen days—in the whole only eighteen days for two years, the Public would form a right opinion whence the delay came ; and that if the Counsel for the defendant had taken twenty-two days for the defence, such facts would have the weight they ought to have upon the public mind. They would tend highly to make people ashamed of accusing the Managers of any improper conduct upon this trial ; he wished indeed these gentlemen who affected to blame the Managers, would state charges against them, because then they could be met and regularly refuted ; but insinuations were vile, where their authors would not come to a test of truth. Mr. Sheridan then alluded to certain words spoken by a high character in Westminster Hall upon this

trial, that no man, except such persons as Marat and Roberpierre could have conducted themselves as some of Mr. Hastings' accusers had done. If any man who breathed upon this earth was suffered to make such aspersions without being properly refuted, there was an end of the dignity of the Commons of Great Britain. He was not to be answered that these were the words of a privileged person; no person ought to have such a privilege, and the higher the authority the more intolerable the insult. The infamy of such assertions ought to be manifested to the public, that the public might continue to esteem the character of the Managers of this important prosecution, and have a proper reverence for public justice.

Mr. DUNDAS recommended withdrawing the motion for the present as matter of prudence, because in its consequences it might lead to a dispute with the Lords, a circumstance most carefully to be guarded against by all who wished to see the impeachment brought to a just and honourable conclusion.— At the same time, he felt, that the managers were entitled to the protection of the House, and if they should think it expedient to press the motion, he should think it his duty to vote for it.

Mr. FOX admitted that there might be grounds of prudence for withdrawing the motion, which the right honourable gentleman who made it would consider; but the objection that there was nothing in a parliamentary form before the House, to induce them to call for such an account from the Managers, was not well founded, for whatever was said in Court by Mr. Hastings or his Counsel, was regularly before the House.

Mr. BURKE said, he would be induced to do much from motives of prudence, but prudence and policy called upon him to persist in his motion. Whoever in trust for public business, sacrificed his reputation, sacrificed the business with which he was entrusted. The Managers had borne with many things to avoid a dispute with the Lords, which under different circumstances, they would not have borne; but they could do so no longer, without betraying their duty, and the honour of the House, whose delegates they were. Could the Lords imagine, that the House of Commons, by justifying themselves, did an injury to them, unless they had set up an interest of their own, in opposition to that of the House of Commons?—“ If



they have done so," said he "there is an end of us both, to any useful purpose."—*Si collidimur frangimur*.—If the Lords decide this cause on feeling, not on justice, depend upon it we are gone.—It is the last of the kind that will ever come before that tribunal, on which rests the main security of our Constitution. I call upon you, as you prize your honour, as you value that constitution, to vindicate your character, by affording the Managers an opportunity of refuting the charges made against them if they can, or by punishing them if they cannot, or, so help me God, I believe this will be the last impeachment you will ever prefer."

Mr. WINDHAM declared that there was neither prudence nor policy in submitting to ill usage beyond a certain point—that point was already passed—least of all to abandon their character to the most injurious misrepresentations, when to vindicate it required only a plain statement of facts.

Mr. JENKINSON objected to the form of the motion, as he thought it would be better, and would tend to bring the matter within a narrow compass, at the same time that it would fully answer the end proposed, if the Managers were simply to lay before the House a statement of their proceedings, without any observations.

Mr. BURKE said, it was impossible for him to agree to the amendment proposed by the honourable gentleman. If it were to be agreed to, the Managers could not possibly make their defence; and rather than they should be so limited, he would wish the motion to be negatived altogether:—one charge or insinuation against them was, that they had introduced a great deal of bad matter in evidence; and, how could they justify themselves in this respect, without stating the grounds and reasons upon which the evidence was introduced? Having stated what occurred to him as proper to be in the view of the House, Mr. Burke said, he would humbly retire, and leave the motion to be decided upon as the House should think right.

Mr. JENKINSON explained.

The SPEAKER observed, that the amendment could not be moved till the motion for the previous question should be disposed of.

Mr. Chancellor PITT said, that he had already suggested a doubt with respect to the propriety of the present motion, as it did not appear to him that the House was called upon to adopt such a measure. But, as he found that almost all the honourable Managers who had spoke, seemed to be of opinion, that if the motion were rejected, it would have the appearance of discouraging them ; although he was still inclined to retain his former opinion, yet in such an embarrassing situation, he would certainly yield that opinion to their better information on the subject, and would therefore give his vote against the previous question.

Mr. STANLEY spoke against the previous question and in favour of the motion.

The House divided on the previous question.

Ayes, 69 ; Noes, 69.

The question came therefore to be decided by the casting vote of the Speaker, which he having given against the previous question,

The House again divided on Mr. Burke's motion.

Ayes, 67 ; Noes, 71. Majority against the motion 4.

Mr. BURKE lamented the fate of the motion, but said that he and the Managers had done their duty in bringing it forward, and that though the House had now thought proper to reject it, a similar proposition might perhaps be more successful on a future occasion under better auspices.

Mr. Chancellor PITT begged to ask the honourable gentleman opposite to him (Mr. Lambton) whether he meant to press his motion on the House that night. The previous business and discussion had gone into much greater length than was expected, and he was anxious that the honourable gentleman should defer his motion, as he felt it would be attended with some degree of personal inconvenience to himself, that a motion, which might probably lead to such important discussion, should be brought on at so late a period of the evening.

Mr. LAMBTON felt himself somewhat peculiarly situated, from three delays having already taken place in bringing forward the motion of which he had given notice ; at the same time, under the circumstances stated, he said he would not then press it on the House ; and it was agreed to be deferred till Monday next.

Sir WILLIAM DOLBEN moved, that the House should go into a Committee of the whole House, to consider of proper regulations with respect to the Carrying Slave Trade—And the House having gone into a Committee, the honourable Mr. Elliot in the chair—it was moved and ordered, that leave be given to bring in a Bill to continue and amend several Acts of Parliament, for regulating the Carrying Slave Trade.

The House was then resumed, and the Report ordered to be received to-morrow. Adjourned.

*Friday, 31<sup>st</sup> May.*

Sir C. BUNBURY said, that in prefacing the motions which he should have the honour of submitting to the House, it was his wish to imitate what was deemed the art of oratory amongst the ancients, viz. the saying much in a few words, rather than the modern practice of saying little in a great many. But exclusive of such claim on the attention of the House, he believed it would be a sufficient apology if he assured it, that his object was to lessen the sum of human misery, and to prevent an unnecessary expenditure of the public treasure. He conceived that not only humanity, but policy, ought to induce His Majesty's Ministers to turn their thoughts towards the unhappy convicts destined for transportation. He called the attention of the House to their situation after sentence.—They were assembled in our common yard in Newgate, and other unimproved prisons, where they remained many months in rags, filth, and idleness, and afterwards they were sent on board the hulks, where they frequently staid a long time; by which those whose morals were not totally depraved, were rendered completely so by this mischievous and impolitic association. He then estimated, that of the seven years' transportation, which was the sentence of the Court, two years were mis-spent in indolence and bad company; reckoning one year consumed in gaol and on board the hulks, and the average passage to New South Wales six months, and six months for their return, each of which voyages cost 20l. per man, so that the system was as expensive as it was baneful; and if they were not brought back it was still worse, as it was a flagrant breach of justice; nearly one-third of their term, and sometimes more, was thus wasted in a manner not only adverse to reformation,

but calculated, as it should seem, to augment their depravity, and make them thieves during their lives. Associate and reform, exclaims the patriot! This maxim, Sir Charles said, might be just respecting honest men, from whose associations much good might arise; but it should be reversed when applied to the dishonest. The association of the bad must produce evil. Separate and reform, is the maxim to be attended to in the management of thieves. But though a friend to proper separation and seclusion, he disapproved of long confinement in solitary cells, which, he feared, had too often been inflicted even for slight offences, since the act of the 31st of George III. for the better regulating of prisons, which carried the power of the Penitentiary Act into general use, and gave to all Magistrates the power of punishing all offences within their cognizance by solitary imprisonment; a punishment which, by the former act of the 19th of George III. was restricted to the Judges of assizes, and to offenders guilty of crimes of such magnitude as were usually doomed to transportation. This act of the 31st, therefore, ought to have been accompanied by a revival of our code of penal law; for since the penalty of imprisonment was greatly increased by solitude, the duration of the term ought to be proportionably diminished, and for trivial faults should be very short. It was a strong and potent remedy; and, like all strong remedies, should be administered with a cautious and discreet hand: what was good for physic, was not good for food. On the whole, Sir Charles reprobated the practice of sending felons sentenced to transportation for seven years, to a barren spot in one of the remotest corners of the globe, at which, when they arrived, after much trouble and expence, they were to be preserved from perishing by famine, by corn and meat sent from England; the precarious arrival of which had subjected them to frequent alarms and distress. The colony, since its establishment in January 1788, had almost always been on a reduced ration. As Governor Phillip, though he thought the settlement, from the present state of its cultivation, would soon be able to supply itself with grain, recommended that a sufficient quantity should be sent thither to serve till the end of the year 1794. And as supplies of beef and pork would be wanting for four or five years more, Sir Charles advised the sending ships for

those articles to the fruitful island of Madagascar, from whence they might be procured at a much cheaper rate than from Great Britain. Perhaps, indeed, it would be wiser rather than to send provisions from hence to the hungry inhabitants of Sydney Cove, to send them to the provisions, as Madagascar was a place infinitely more eligible for a settlement, abounding not only in corn and cattle, but in various natural productions most serviceable in trade and manufactures. Sir Charles thought of the inferior delinquents, whom the laws deemed corrigible, and sentenced for the limited term of seven years, the very old, the very young, the crippled, the infirm, and the penitent, might be usefully employed in that labour best suited to their capacities in a well-regulated penitentiary house, and by proper care and discipline their morals might be amended, and their bad habits reformed.

The propriety of this mode of treatment he thought himself justified in recommending, as it had not only received the repeated sanction of both Houses of Parliament, but in those counties where, by the liberality of the inhabitants, and the laudable zeal and attention of the Magistrates, the prisons had been so constructed and regulated as to try its operation, the most beneficial effects had resulted from it, and the great object of all punishments in some degree attained, many having been reformed, and many deterred from the commission of crimes. The remainder of these criminals, if the American States refused to receive them, he advised, should be sent to Hudson's Bay. When America refused to receive our convicts, penitentiary houses were proposed; but in consequence of the great expence, this scheme was not carried into execution. The next plan adopted, was that of sending them to Botany Bay. After recounting the miseries these unfortunate people underwent in prison, on board the hulks, and in their passage, in glowing colours, Sir Charles next proceeded to state the estimate of the expence incurred by Government by their transportation. The public, since the establishment of the settlement, had paid 600,000*l*. There was a plan proposed, he said, by the ingenious Mr. Jeremy Bentham, to build penitentiary houses in a circular form, which would facilitate the inspection, and thereby rendering the strength of the walls less necessary, would take away the only objection

to them, viz. the expence, by reducing it to 25l. per cent. less than the hulks. Thus, well-regulated prisons, calculated to reform offenders, and to convert the dissolute and idle into good and industrious subjects, would be provided at a cheaper rate than vessels in the Thames, in which, from the free and contagious intercourse of the convicts, the most dangerous combinations were formed, and instead of being, as they ought to be, "Schools for Reformation," they might, with more propriety, be termed "Schools for instructing youth in the arts of robbery." This observation applied still more forcibly to their treatment in the unimproved jails, in which they were never allowed to work, and on board the ships during their passage to South Wales. Mr. Bentham proposed also a subordinate establishment, in which he would receive and employ such as could not find employment elsewhere, all those persons of blasted character, who, though acquitted for want of legal proof, were thought to be guilty, and those the terms of whose sentences were expired. This was an establishment, which, to the disgrace of the country, had long been wanted, and which merited the warmest encouragement of Government, as it tended to prevent crimes, to which, he feared, many who now sought employment in vain were driven by necessity.

Sir Charles next proceeded to state the mortality among the convicts during the voyage, and the expence. He said, the maintenance of each convict, during the two first years, cost the country 60l. a year, which was the salary of an exciseman. In speaking of the mortality, he stated, that out of five hundred passengers on board the *Neptune*, but forty-two were able to crawl over the ship's side; the rest were carried, and eight out of every ten died at Sidney Cove. The detail of the sufferings of these wretched convicts would be tedious and painful; suffice it to say, that by the depositions taken by the Solicitor of the Treasury, they were equal to any endured in the slave ships. That in another instance, out of 1863 on board the *Queen* and other transports in autumn 1791, 576 on landing were sent to the hospital. Governor Phillip wished to punish the author of these calamities, but doubted his power over offences committed on the high seas. It was necessary, therefore, that an Admiralty Court should be established at Sidney Cove. Sir Charles concluded by moving the following reso-

lutions, on which he desired not an immediate decision, but left them for the consideration of gentlemen, and particularly of His Majesty's Ministers, to whom the care of felons, after conviction, devolved.

### RESOLUTIONS.

1. That, by the general improvement which has taken place in the jails and bridewells throughout the kingdom, the punishment of convicts by imprisonment and hard labour on board of vessels in the river Thames, and elsewhere, is rendered unnecessary, and ought to be discontinued.

2. That the promiscuous confinement of felons under sentence in Newgate, and other jails destined for accused persons only, and likewise on board of hulks for several months until ships are ready for their transportation, is impolitic, and productive of many evil consequences.

3. That a proper prison should be provided for the reception of such felons immediately after their conviction, with working rooms for select companies, and separate apartments during the hours of rest.

4. That the distance of the settlements at Sidney Cove and Norfolk Island, the length and peril of the voyage, the expence of conveying and maintaining the convicts when there, is so great, as to make it adviseable to send thither only such as shall be sentenced to transportation during their lives, or at least for the term of fourteen years.

5. That it is expedient, that inquiry should be made whether the North American States would be inclined to receive and employ, as heretofore, any, and what number of convicted felons; and also, whether a settlement might not be allotted to those under sentence of transportation for seven years in any other part of the North American Continent, or the adjacent islands, or elsewhere, to which they might be sent at a moderate expence, where the soil is fertile, and where they might be usefully employed in the fisheries and commerce, and thereby contribute to their own support, and the advantage of this country.

6. That to preserve those criminals who may hereafter be transported from a calamity similar to that which destroyed the greater part of the unfortunate crew of the Neptune, and to rescue them from the dangers of foul air and famine, it seems expedient to allow a space of at least two tons for each person; and that in addition to the salutary regulations proposed by Mr. Secretary Dundas, in his letter of June 23, 1791, to the Commissioners of the Treasury, a premium should be given to the Contractors, on the arrival of every felon in good health at the place of their destination; and likewise that all the provisions on board of the ships hired to carry convicts, should be purchased for the service of Government, and the surplus, at the end of the voyage, be deposited in their storehouses.

Mr. MARTIN approved highly of the resolutions, which he hoped to see carried into effect.

Mr. DUNDAS complimented the honourable Member for his intentions. He declared that he would give every aid to carry such of the resolutions into effect as met his approbation. He said, from the latest accounts from Norfolk Island, he had every reason to believe that it would soon grow sufficient corn for the convicts and their families. He would therefore move, not for the purpose of getting rid of the question, but to consider the resolutions more maturely, that their farther consideration should be deferred to that day three months, which was agreed to by the House.

Sir C. BUNBURY allowed that Norfolk Island produced good crops of corn ; it also produced abundance of rats and insects, to assist in the consumption of it. But the objection to this settlement was not its sterility, but its dangerous and rocky shores, which prevented any vessel from attempting to anchor, even in the finest weather. The fate of the *Sirius* proved the risk of approaching it. *Mons. Clonard*, the French circumnavigator, who failed in his endeavours to land, said, it was only fit for the residence of angels and birds. When he alluded to birds, they were not, however, the birds of *Newgate* ; and he probably did not advert to them, when he talked of angels.

Mr. WHARTON rose to make his promised motion. We heard, he said, on every side, of the glorious Revolution in 1688, and of the Constitution, as settled at the glorious Revolution. It was a note which he had always listened to with pleasure, and he repeated it himself with rapture. But what was the rational foundation of our satisfaction at the recollection of the glorious Revolution ? It assuredly was not that the possession of the throne, and the regular hereditary succession to it, were at that time disturbed and interrupted. It was not that we expelled one King and one Family, and appointed another King and another Family in their room. The necessity of such changes was at all times to be deplored ; and the events themselves could only be justified by the necessity. The only rational foundation of our approbation of that Revolution must be, that at that time such principles were confirmed, and such wise and wholesome provisions made for our constitutional security and happiness, as might prevent all future necessity for a similar Revolution. Whoever approved of that Revolution,



declared at the same time, that the constitutional provisions then obtained were wise and wholesome provisions; that they were worthy objects of a national struggle; that they not only justified resistance, but made it meritorious; and that they were cheaply purchased at the price of all the blood that was shed upon the occasion, as well as the dethronement of a guilty King, and the extirpation of his guiltless family. But an approbation of that revolution went still farther. It declared, that if, by any means—by force or by fraud, by violence or by corruption—if these wholesome and necessary constitutional provisions should by any means be taken away or frustrated, the same objects would again justify the same national struggle, and the same exiremities, unless they could be recovered and re-obtained by more gentle, more peaceful, and therefore more happy means. He asserted (and said he risked nothing by the assertion, for no man would be hardy enough to deny it, and he pledged himself to prove it in a Committee of the House) that all that was valuable to the people of this country, all the provisions which were stipulated to secure the peace and prosperity, the individual liberty, and the general property of the people of this land, had all been, since the Revolution, taken away. All.

He must intreat the attention of the House for a very few moments, whilst he very briefly brought back to their recollection what this country established by the Revolution. First, To avoid all future mistake, and that the contract between Prince and People might be clearly understood, the Revolutionists began by altering the oaths of the contracting parties. They altered the coronation oath for all future Sovereigns in this realm, and they altered the oath of allegiance for themselves and for all future subjects. They cut up by the roots the damnable doctrine of passive obedience and non-resistance, by emphatically specifying and ordaining the following words of their former oath, 1st Wm. and Mary, ch. 8. "I declare that it is not lawful, upon any pretence whatever, to take arms against the King," &c. &c. should not from thenceforth be required or enjoined.

It was not so much to relieve the conscience of the subjects that these words of their former oath were selected, recited, and abolished; for no oath of slavery ever did, or ever will, or

ever ought to bind a nation or an individual. It was something worse than perjury or sacrilege to keep an oath of slavery. This alteration was made to prevent the future sovereigns of this country from being misled, as the four preceding sovereigns had been, to trust to a senseless superstition about Royalty, which, though many persons for their interests have professed, no man of common sense ever entertained.

Their next care was to provide for the due administration of the executive Power, and the responsibility of its confidential advisers. They therefore enacted, 12th Wm. III. chap. 2, that "all matters and things relating to the well-governing of this kingdom, which are cognizable in the Privy Council, by the laws and customs of this realm, shall be transacted there; and all resolutions taken thereupon shall be signed by such of the Privy Council as shall advise and consent to the same."—Thereby guarding, as far as laws could guard, against that accursed engine of despotism, a Cabinet Council, or that more accursed instrument, an Interior Cabinet. Their attention was next directed to the double representation of the people; the only possible security for all their other provisions—their representatives in Parliament, and their representatives in Courts of Justice—the House of Commons, and Juries. They passed over untouched, and left as they found them, the Nobility and the Church; they were considering the solid and substantial parts of the constitutional edifice, and did not much concern themselves about the gilding and the varnish. They therefore proceeded to establish the principle of a fair, free, and frequent election of the Representatives of the Commons in Parliament, as might be seen by a reference to the acts passed in the first and second, and third years of William and Mary. And having thus, as they imagined, provided for the real election of the representative body in Parliament, they secured the independence and integrity of that body after its election, by enacting, that "no person who has an office, or place of profit, under the King, or receives a pension from the Crown, shall be capable of serving as a Member of the House of Commons." 12th W. III. ch. 2.

Having thus secured the purity and independence of the people's representatives in Parliament, they proceeded to the other important branch of their representation by jury; and

they decreed, that juries should be fairly taken, without partiality ; and should act freely, without influence. 1st Wm. and Mary, ch. 2. They also decreed, that excessive bail should not be required ; that excessive fines should not be imposed ; and that illegal and cruel punishments should not be inflicted ; and to secure these objects, they ordained, that thenceforward the Judges' commissions should be made, "*quam deus se bene gesserint* ; and that their salaries should be ascertained and established ;" in order to make the Judges independent of the Crown. 12th W. III. ch. 2.

Now, all these provisions (the objects and consequences of the glorious Revolution) would have no value ; they would be nugatory and worthless ; they would be a mockery ; unless they went effectually to obtain and secure to the people of this land these three important points : First, an honest and responsible exercise of the executive authority. Secondly, real, independent, and faithful representatives of the Commons in Parliament. Thirdly, a fair and impartial administration of justice in the Courts of Law. We who had no predilection for any family whatever (except as connected with these objects), in the words of our ancestors at the time of the Revolution, did now again " Claim, demand, and insist upon all those, as our undoubted rights ; the true, ancient, and indubitable rights and liberties of this kingdom." 1st Wm. and Mary, ch. 2. If then, by various means, it had happened, (as he asserted, and undertook to prove in a Committee of this House) that this provisional responsibility of the Privy Council no longer remains ; that the election of the House of Commons is neither fair nor free, nor frequent ; that this provisional independence of its Members is gone, and that the House at present swarms " with persons having offices and places of profit under the King, and receiving pensions from the Crown ;" that juries are not fairly and impartially taken ; that they do not act freely and without influence ; that excessive bail may be, and has been, required ; that excessive fines may be, and have been, imposed ; that illegal and cruel punishments may be, and have been, inflicted ; that the Judges are not independent of the Crown ; that pensions may, and have been, granted to some of them ; and that lucrative offices may be, and have been, conferred upon others ; by which means it

cannot be said that their salaries are ascertained and established. If these facts were so, he held it to be the duty of all those who, without hypocrisy, praised the Revolution, to endeavour to return us again to our constitutional situation at that period, and to recover those lost or neglected provisions, that so we might effectually secure to ourselves and our posterity, what our ancestors endeavoured at the Revolution to secure to themselves and to us.

He concluded with moving, "That a Committee be appointed to inquire whether any, and which of the provisions made by Parliament, in the reign of William and Mary, and in the reign of William the Third, for securing the responsible exercise of the executive authority, for securing a real, independent, and faithful representation of the Commons in Parliament; and for securing a fair and impartial administration of justice in the Courts of Law; whether any, and which of these have, by any means, been invalidated or taken away: and to consider whether any, and which of those lost or invalidated provisions may be fit to be re-enacted and restored, in order that the people of this land may recover that situation and security in which they were placed by the glorious revolution in 1688."

For the motion, 11; Against it, 71.

The House in a Committee, after a few words from the Chancellor of the Exchequer, in honour of the character of the brave Admiral Rodney, to whom his country owed so much gratitude, passed a resolution, that the annuity of 2000l. per annum, secured on George Lord Rodney, and the two next persons on whom the title should descend, be farther settled and secured on the heirs of Lord Rodney, on whom the Barony of Rodney shall be vested.

The report of this resolution was ordered to be received on Monday.

On reading the order of the day for going into a Committee of the whole House, on the bill to prevent the importation of slaves into foreign islands,

Mr. ESTWICK proposed, that it be an instruction to the Committee, that we do make compensation to persons who may sustain losses, in consequence of this bill passing into a law, &c.

This was opposed by Mr. Chancellor Pitt, &c. a short debate arose. The House divided,

For the motion, 10; Against it, 51.

The House having gone into a Committee, went through several clauses of the bill, after which the Chairman reported progress, and leave was given for the Committee to sit again on Monday next—Adjourned.

*Monday, 3d June.*

Mr. ADAM said, that the notice he was about to give related to a subject of great importance, with respect to a distant part of the kingdom, and he wished it to be as public as possible. It had happened lately to him to have his attention a good deal called to the criminal law of Scotland, and some regulation seemed to him to be necessary, which would require considerable attention. In no case, whether a capital offence or a misdemeanor, did an appeal lie to the House of Lords, from the Court of Justiciary in Scotland. This appeared to him to be an imperfection, and it was his object to remove it. The allowing a writ of error to ground an appeal to the House of Lords, under certain limitations and restrictions, was regarded as an improvement in the criminal law of England, he was clearly convinced of the propriety of allowing the same sort of appeal to that tribunal from the Courts of Scotland, and therefore, when he brought the subject forward, he should move for a regulation to the effect of an appeal from the Court of Justiciary to the House of Lords. Another point to be noticed was that of a Grand Jury before trial. By the law of Scotland there was no Grand Jury in any case whatever except that of treason, and in all cases of crimes it was left to His Majesty's Advocate to bring forward what prosecution he thought proper; this was a matter which required to be noticed also: he did not mean to insinuate that such power had been improperly used, but from the nature of the thing it was such as required regulation. He should therefore direct his attention in some measure to this, as well as to the subjects of Grand Jury and appeal. The next object was that in misdemeanors that are tried in Courts of inferior jurisdiction, it sometimes happened that the party was tried even without a petty jury—it was one of his objects to provide a petty jury in

all cases whatever for the trial of offences. There was still another point remaining, which would require regulation ; he meant that of punishing contempt of Court as a crime. Two things essentially different were confounded with each other in this respect, and therefore a regulation was necessary with respect to them. These were the points to which he should have the honour of soliciting the attention of the House, but as they were of so much importance, he was desirous that they should not be brought forward hastily and without full notice, he therefore now begged it to be understood, that early in the next session of Parliament he should have the honour of proposing, first a Committee to inquire into the points he had already stated, and, if successful upon that, then a bill for the improvement of the system of criminal law in Scotland, a system which he was sorry to say, was at present very imperfect.

Mr. LAMBTON observed, that he had come down to the House fully determined to bring forward the motion of which he had given notice ; but understanding that the right honourable gentleman (Mr. Pitt) was prevented from attending by indisposition, he felt himself once more under the necessity of postponing the agitation of it, conceiving the presence of the right honourable gentleman, though not perhaps absolutely necessary, yet of so much importance, as to induce him to risk even the misrepresentations to which these repeated delays might be calculated to give rise—He knew he might be accused of insincerity, and of a wish to get rid of the question. This he solemnly pledged himself to the House and to the country was not the case, as having brought it forward upon due deliberation, he believed it to be a question of serious importance, well worthy their consideration, and certainly of weight enough to render the opinion of the right honourable gentleman, as much from his talents, as from the character which he held in that House, a most desirable object of attainment. He wished gentlemen to recollect, that it was no question of innovation, no child of speculation, to which he meant to call their attention, that it related to a resolution, which that House had annually adopted for near a century, which if it meant any thing, should be upheld and supported, or if nugatory, useless and without meaning, should be deliberately declared so for the sake of the character and consistency of their pro-

ceedings. For his own part, he believed it to be founded in sound constitutional wisdom, that the more it was investigated the more its value would appear, and the importance be estimated—He should therefore conclude by deferring the consideration of it till Monday next, in the hope, that the right honourable gentleman would be no longer prevented from attending by his present illness.

Mr. DUNDAS said, he regretted as much as the honourable gentleman could do the illness, which was the cause of his right honourable friend's absence; but he begged the honourable gentleman, in consulting his own convenience, (for he did not see the absolute necessity of his right honourable friend's presence) would recollect, that it was extremely late in the session, that he might have brought forward his motion earlier, and that, as he (Mr. Lambton) believed it to be of importance, he could hardly expect a very full attendance, should he persist in bringing it forward on Monday next.

Mr. LAMBTON begged the right honourable gentleman to recollect for a moment the particular circumstances under which he brought forward this business, and he thought he would easily perceive, that he could not have given an earlier notice than he had done. That in fact it arose from the negative put upon the motion made by his honourable friend (Mr. Grey) for referring the petition which he had presented, to a Committee, one of the allegations of which petition bore immediate relation to this resolution of the House—now had his honourable friend's motion been acceded to, his own would have been unnecessary, in as much as the inquiry which he meant to solicit, would by that measure have been adopted—that on Monday next, should the right honourable gentleman's indisposition continue, it would be for him (Mr. Lambton) to consider whether he felt the discussion of this question of such importance as to induce him to press it even during his absence, or to postpone it till next session—he confessed he very much wished to hear the opinion of the right honourable gentleman upon it, and therefore should continue his notice for Monday next.

The House adjourned.

*Wednesday, 5th June.*

Mr. GREY said, that to-morrow he should call the attention of the House to the subject of the impeachment against Mr. Hastings. By the report on the table concerning the state of that impeachment, it appeared that the Managers would not be ready to proceed to a general reply in less than five or six weeks, although in one charge they might be able to proceed sooner. The Lords had appointed Monday next for that purpose. He had no hesitation in saying, that it would be utterly impossible for him to proceed to reply on that day. This, he said, was not from any negligence of his, for with all the diligence and attention he was able to employ, he found it impossible for him to be prepared at that period, he must therefore lay in his claim for farther time, and request of the House to send a message to the Lords to put off the trial to a future day. That was not all, for he should ask whether, under all the circumstances, the session being so far advanced, it would not be as well that all farther proceedings upon this subject should be postponed until the next session, for why should the Managers now proceed to one charge, when it was evidently impossible for them to proceed beyond it. He now gave notice, that to-morrow he should make a motion for a message to be sent to the Lords to that effect, and that he should be ready in his place to make it precisely at four o'clock.

On the reading of the order of the day upon the Farnham Hop bill,

Mr. ROSE moved, that the Speaker do now leave the chair. This produced a long and a very warm debate, in the course of which the Attorney General said, that this bill was the most monstrous piece of oppression, tyranny, illegality, and injustice he ever heard of; its equal, he was sure, was not to be found in the annals of Parliament; and he should have been ashamed of himself if he did not enter his most solemn protest against its principle, as tending to shake all the protection which an individual could have to his property in a free state against the most odious and detestable acts of tyranny. The Solicitor General expressed the same sentiments, and observed, that he was anxious his name should not appear as a party to this robbery. Sir William Scott conveyed his sense



also against the bill, in terms of equal warmth and reprehension; as did also Mr. Burton, who observed, that there were no epithets of reproach in the English language that were not directly applicable to the principle of the bill.

Mr. ROSE, and many other gentlemen, defended the bill, on the grounds of necessity and expediency.

Sir BENJAMIN HAMMETT moved, that the House do now adjourn.

This produced another debate of considerable length, after which the House divided,

For the adjournment, 15; Against it, 45.

The House then went into a Committee on the bill, and proceeded to the hearing of Counsel.—Adjourned.

*Thursday, 6th June.*

Mr. GREY called the attention of the House to the subject of which he had given notice yesterday. He observed that if there was any gentleman in that House connected with Mr. Hastings—and pledged to him by any thing like an agreement; if there were any gentlemen in that House who were leagued with him to thwart all the proceedings of the impeachment against him—if there were any Members in that House, who could be so far forgetful of the duty they owed to the Public, and the regard they ought to have for the dignity of the House, as well as the honour of their own character, as to neglect the duty which they owed to the Public, for the purpose of screening an individual from public justice, in a cause in which the Commons of England were the prosecutors; to such persons he could have nothing to say. If they had lost all sense of their duty, he could not help it. He was sorry to say that he believed there were some in that situation, but that there were many such he did not believe, and therefore the motion which he should have the honour to make would, he trusted, meet with the general concurrence of the House. He must observe that, in his opinion, the Managers of the Commons upon this impeachment ought not to be placed in the situation in which they stood at present, and he thought also that it was a duty they owed to themselves, to do every thing in their power to remove the odium which had been industriously cast upon them in consequence of the delay of the present trial;

and yet they must not, under the fear of the imputation of delay, proceed hastily, and sacrifice the great duty of their station. If the House did not so far give them credit as to be convinced from general principle, and from their particular knowledge with regard to the disposition, character and conduct of the Managers, that they were not desirous of any unnecessary delay in the prosecution of this trial; he must then be allowed to ask, what possible interest there could be to them arising out of such delay? Did gentlemen think the Managers could derive much amusement from such delay; He wished such gentlemen, if any such there were, would take upon themselves the task of reading some of the papers which belonged to this trial, and which he had been compelled to attend to for six hours a day, and then he believed they would not consider the business as a matter of amusement. He maintained that no advantage whatever could be derived to the Managers, to the prosecutors, or even to Mr. Hastings, from proceeding at the time required upon one part of this great trial, unless Mr. Hastings wished that the cause should be puzzled and perplexed, and the evidence and arguments obscured, from the length of time between the reply upon one charge and the final judgement upon the whole together. But upon the question of delay, he should distinctly state the reasons why it took place, by which it would appear beyond a doubt that the Managers had no share in creating it. Here Mr. Grey entered into the history of the trial, stating that the Managers had done every thing in their power to accelerate the progress of it, and that they were brought into this dilemma by the sudden close of the evidence on the part of the defence, and the short notice which the Lords were pleased to give for the Managers to prepare a reply on the charge of Benares, and upon this he must submit to the House two considerations—First, that by being thus suddenly called upon to make a reply before it was possible for them to be prepared for it, the cause on the part of the prosecution must be materially injured. Secondly, that on the part of Mr. Hastings no honourable advantage could be gained, because final judgement could not be thereby accelerated. These points he illustrated by shewing what connection the charge of Benares, on which the Managers were now called to reply, had with the other charges, and the impossibility that

the Lords themselves could be able to understand the case, even if the Managers were able to reply in the present session, because much of the evidence was yet unprinted. It would therefore be injurious to the honour of Mr. Hastings, as well as prejudicial to the prosecution, that this business should be hurried on, as proposed by their Lordships; besides, by this mode of proceeding, they would deprive the Managers of the privilege of a general reply upon the whole case, to which they were certainly entitled. It was remarkable that the Lords allowed Mr. Hastings to hear all the charges before he began his defence, under the general principle that every party should manage the mode of conducting his case according to his own judgement. What was the case with respect to the prosecution? The Lords said that the Managers should reply as they should direct, and reply also to evidence that they could not have read or seen; and their Lordships were to decide upon evidence which they had not read, and thus to determine upon what they must be unable to understand; for this must be the case with respect to all the papers and writings which had been entered as read, and, because it was not printed. If it was necessary for Mr. Hastings to be in possession of all the evidence on the part of the prosecution, before he began his defence, was it not equally necessary that the Managers should be in possession of all the evidence on the part of the defence before they began to reply? He therefore submitted to the House, whether the Lords could in justice, in candour, or in fairness expect the Managers to proceed upon their reply under all these circumstances at the time appointed. But the disadvantages did not stop here; for he readily confessed that he was not, nor could he be able to proceed to the reply at the time appointed by the Lords, by any diligence which could be used; and therefore that part of the case must be defective until the next session, and then the defect must be supplied by those who should follow him in the reply upon the other charges: so that the final judgement would not be accelerated a single day from this haste, but on the contrary was likely to be retarded. So that Mr. Hastings, if it was his desire to come to an honourable investigation of the case, instead of throwing it into confusion, ought to wish that the reply upon the Benares charge should not be made until the next session. He wished

gentlemen to reflect on the lateness of the session, and then see what good could be produced by proceeding now upon any part of this trial. If he was asked how he knew that the session was near at an end, he would answer, he saw it by the proceedings of the House of Lords; these alert Lords, who now demanded so much expedition upon the trial of Mr. Hastings, had some days ago found it necessary to put off the consideration of a bill brought in by a noble Lord upon a principle of humanity, to relieve many distressed and miserable objects; these very same Lords had thought fit to put off the consideration of that bill, on account of the lateness of the session. In whatever point of view this subject was placed, he did not see any good, but he saw much harm, that might result from the Managers being called upon to reply in the course of the present session, and much of that harm might ultimately fall upon Mr. Hastings. He concluded with moving to the following effect:

“ That a message be sent to the Lords to acquaint them that the House of Commons having taken into consideration the state of the impeachment now depending against Warren Hastings, Esq. together with the advanced period of the session, are convinced that it will not only be impossible to obtain judgement on the several charges exhibited against the defendant, but that they cannot, without inconvenience, complete the reply under one of the separate heads thereof, in the present session; and that by a reply the charges should not be broken, the whole of which the Lords have considered as one cause, and that therefore the Commons desire the Lords to postpone the proceeding to the next session of Parliament, when the Commons will be ready and desirous to attend from day to day, if they think fit, to make good their charges.”

Mr. WIGLEY opposed the motion, as tending to create delay.

Mr. LAW opposed it also, and observed that the delay of this trial was a great vexation to the defendant: The cause had lasted six years; he knew that in these years only 120 days had been allowed. He did not say that any party was to be accused particularly of delay, each should take his share, but he thought that no more should take place if the House had the power to prevent it; he saw a good reason for proceeding this session as

far as the Managers could; perhaps it would accelerate the decision a quarter of a year, and that was a great consideration to Mr. Hastings, in his present situation. He said he had been in India for a considerable time, but he claimed the right of judging impartially upon this subject, as well as those who affected to regard all persons in his situation as in some degree tainted by prejudice upon the trial of an India Governor.— He said he had no particular acquaintance with Mr. Hastings, nor any extraordinary friendship for him; that he had blamed some part of his conduct; but, generally speaking, he believed Mr. Hastings to be of an honest and honourable disposition. The delay of his trial he was sure was such as the people of this country were generally displeased with, and was contrary to the principles of our Constitution; he should not say where all the blame was, it appeared to him however that some of it attached to the House for making the charges too long, and passing some without reading them.

Mr. FRANCIS in answer to the honourable gentleman, observed that he had in computing time upon a comparative view of facts upon this trial, not done his own argument justice; for if it was probable that the reply of the Managers should take up only four or five days in this session, that would be equal to a whole year of the impeachment, instead of a quarter. With regard to the opinion the honourable gentleman had expressed of Mr. Hastings, Mr. Francis said, that a conversation he had had with that honourable gentleman, (the day and hour he could refer to if necessary) made a different impression upon him. As to the charges being passed without being read, he should only observe, that the honourable gentleman could not be a very high authority upon that subject, because at the time they were passed, he was not a Member of that House.

Mr. CAWTHONRE opposed the motion, as a measure of unnecessary delay; he thought that the honourable gentleman who made it would be well prepared at the day appointed for the reply; and he was happy to see that honourable gentleman's abilities improving every day.

Mr. SHERIDAN said, he thought that the House had heard from the honourable gentleman who had just sat down, the best reason they could have for postponing the time for his honour-

able friend's reply—that his abilities were in a state of improvement from day to day ; this was an admirable reason for a little delay upon this business ; because if that was true, he would be able to proceed with immense advantages to the cause at the beginning of the next session. But if the trial went on at all in the present session, the Managers would be compelled to proceed without means for argument, and the Lords must determine without knowledge ; the one party proceeding without knowing any thing of the evidence against the charge which they were to support, and the other deciding upon the evidence they had not heard, and arguments which they could not in that case understand. Mr. Sheridan argued with great force in favour of the motion, and maintained it to be impossible to do justice to the cause by coming to a reply in the present session. He maintained also that there was not the smallest colour for charging the Managers with delay, and concluded with observing, that he verily believed, that proceeding to a reply as the Lords proposed upon the present occasion, would not be the cause of hastening the conclusion of the trial a single hour.

Mr. Secretary DUNDAS supported the motion, and maintained the necessity of that House giving all the assistance in its power to its Managers. He saw not the least injustice or hardship which the defendant would sustain, by the carrying of this motion ; if he did, he would be one of the last to assent to it. Was it supposed by any body, that final judgement would be delayed in the cause by it ? On the contrary, he was satisfied that this motion would be so far from protracting the trial, that in the end it would shorten it. If the Managers proceeded to reply in the present session, as proposed by the Lords, he was clearly of opinion it would be neither more nor less than wasting so many days as they should be employed for the present session. He maintained, that as to delay, the Managers were not chargeable with it, nor was that House chargeable ; he had no difficulty in saying where the delay came from ; he cared not who heard it ; he stated the delay distinctly to have been with the House of Lords ; they met at too late an hour in the day ; adjourned for too long a period ; had been too scrupulous about the attendance of the Judges from time to time, when in point of fact they had no occasion for the assistance of the

Judges ; thus they lost every year all the time of the assizes.—What reason could there be for this ? Had their Lordships not legal ability enough within the walls of their own chambers ? Had they not Lord Thurlow—the then Chief Justice of the Common Pleas—Lord Bathurst—and a noble Earl (Stanhope) who had undertaken to teach the law Lords law in the House of Peers ? To be serious, he thought their Lordships might have decided many questions upon evidence and other points, without the assistance of the Judges ; and by adjourning to their own chamber upon all these points, the parade of the thing wasted the time that ought to have been employed in transacting the real business of the trial. He was convinced, that had they attended in the morning, and taken six hours each day of sitting, the trial would have been over in the first session, or early in the beginning of the second ; for six hours in one day was better than three sittings of three hours each, on account of the bustle and parade of the procession. He thought it his duty to say this, in order that there should not be a false impression made upon the Public ; let the imputation of delay rest where it ought to be, with the Lords, and no where else that he knew ; for he had no idea, as one of the Members of that House, to take blame where he did not deserve it ; in all views he found himself bound to support this motion.

Mr. RYDER said, that if a delay till Wednesday next had only been asked, he might possibly have acquiesced in it, though he was much averse to any delay ; but he found it impossible for him to accede to the present motion for a delay till next session, particularly as he could not agree in one of the reasons given in the motion for that delay. He agreed in opinion with the right honourable gentleman (Mr. Dundas) that much of the delay was imputable to the House of Lords ; but this made him the more averse to the least appearance of delay on the part of that House ; whether the business would be much forwarded by the House disagreeing to the present motion, it was, at the same time, impossible for him to tell.

Sir JOHN TREVELYAN said, he had never spoke to Mr. Hastings in his life ; but he would not allow himself to be prevented, by the general threat which had been thrown out by the honourable gentleman who made the motion, from doing what he thought right, and giving it his negative : from

the same principle of duty he had voted against the impeachment.

Mr. GREY explained ; after which the House divided ;

Ayes, for the motion, 61 ; Noes, 66.

Mr. BURKE then said, that after the extraordinary proceedings of the House, as it appeared to him, he thought himself bound to give notice, that to-morrow he should bring forward a motion, which appeared to him to be necessary for the justice and honour of that House. Adjourned.

*Friday, 7th June.*

Mr. GREY rose to call the attention of the House to a subject, which he owned appeared to him of considerable importance, and with regard to which he thought it would be impossible for him to act without the advice and direction of that House. The very great and important duty which devolved upon the Managers of the Impeachment against Mr. Hastings, had become infinitely more difficult than ever it had been before, since the vote of that House last night. If he had acted according to his own feelings upon that occasion, he should have solicited the House to withdraw his name from the list of the Managers for conducting that impeachment. The House had certainly a right to impose upon them what task they pleased ; but in the vote he had alluded to, he was placed in a situation in which he could not perform what might be said to be his duty, in a manner that would be of advantage to the Public. If the House were pleased to impose a task upon their Managers, it should follow, as a necessary consequence, that the House should support them in the execution of that duty. If the House thought, that, from the conduct of the Managers upon this impeachment, it had been brought into such a situation, that it could be no longer carried on with honour to that House, it would become the House at once to say so, and to put an end to it by an immediate vote, and then proceed to censure the Managers for their conduct. If circumstances had arisen that induced the House to be of opinion that the conduct of the Managers had been in any degree improper, it should in a manly manner declare that to be the case ; at any rate it could not be proper for the House to send their Managers to the bar of the Lords to conduct a difficult and important busi-



ness, which the House, in fact, wished to get rid of, not by a vote, but by an indirect mode of thwarting them in some points, and abandoning them in others. This was what he wished not to be the case; and he felt it heavy upon him from the recent proceedings of the House. Upon these grounds, he should have felt himself warranted to say, that the duty, as it now stood, was such as he was not able to perform, and therefore he should pray of the House to dismiss him from a situation in which he could not act with propriety; undoubtedly that would be his wish, and he should retire from the business, if the House were pleased to signify their consent to it. At the same time, it would be with regret that he should leave those with whom he had engaged in this great and important trial: he must confess, it would be a subject of very deep regret to leave them at all, but much more at the present moment, and in the present situation. However, he could not help it, and he must consider what he owed to himself on the present occasion; and feeling himself unable to appear at the bar of the Lords to proceed upon the trial on the day appointed, as a Manager of the Commons of Great Britain, to reply upon the charge now before their Lordships for determination, he must desire the House to dismiss him, or to give him such directions for his conduct, by which he might be enabled to proceed in the discharge of a task to which he was not at present competent.

Mr. BUKKE said, he wished some gentlemen to express their sentiments upon this subject, by which the Managers might be guided, and in order to allow them some time for taking the sense of the House upon it. He observed in the stile of this proceeding, on the part of the defendant, a great deal was urged on the ground of compassion to the accused. This was certainly an unusual mode of conducting a criminal charge, and on the part of those who yet pretended to favour the prosecution, a very prevaricating stile for the House of Commons to adopt; it arose from a flimsy, prevaricating, petty, peevish morality, that was incompatible with the dignity of public justice. It was a base and scandalous language, that should be disdained by that House, when in the exercise of its accusatorial function. The subject of this trial had been attempted to be converted into a subject of

mirth, as well as made the theme of compassion for the accused. These things were improper and inconsistent. There never was any thing so dull as insipid mirth, nor any thing so immoral as perverted morality. We heard complaint and appeals to compassion on the part of a man who said he dreaded he should be a beggar, and who had been in India fourteen years, enjoying in salaries and emoluments the sum of forty thousand pounds a year. We heard these things without horror and astonishment. We heard a man appeal to compassion for fear of his being reduced to beggary, when he himself had caused two unfortunate women to be robbed of one million of money——

Mr. ROLLE called to order; he said he had taken a part against this prosecution upon a former occasion, and he would do so now; he did not see that the right honourable gentleman was in order; there was no question before the House.

The SPEAKER said, that the subject now before the House was such as would not, in his opinion, admit of any loss of time. The honourable Manager, in his application to the House, intreated their directions as to the step he was to take upon the subject of the impeachment against Mr. Hastings. The House of Peers had already adjourned over to to-morrow, and therefore could have no power to proceed upon any thing on that day. What proceeding they could institute, the House would be under the necessity of immediately deciding, in order to direct the honourable Manager. A message might be sent to the Lords, perhaps to defer the farther proceeding on the trial for a day or two, as the case was urgent. It was possible that the Lords might then be sitting. A motion might be made immediately in that House, and a message might be sent to the Lords, while they were sitting, to desire they would continue to sit for a short time, in order to receive a message from that House. It was not an unusual thing, in the case of an impeachment, to require the Lords to sit for some time longer. Under these circumstances, he begged the right honourable gentleman (Mr. Burke) to abstain from any observations upon the general question at the present moment. If it was the pleasure of the House to send the message he suggested to the Lords, the House might then have time to determine upon another message to the Lords

and it would then be to be determined whether they should require that the trial should be put off to a future day. If the Lords should be adjourned, it would then be for the House to consider whether they could direct their Managers to proceed on the day appointed, and then intreat the Lords at the bar to put off the trial to a future day ; and afterwards to send a message to the Lords to induce them to put off the trial still farther. This appeared to him to be the regular mode of proceeding in that House ; but he must observe that the subject was such as to require an immediate determination.

Mr. BURKE, after a few words, acquiesced in the recommendation from the Chair.

It was then whispered that the Lords were adjourned.

The SPEAKER said, that although the Lords had adjourned to-day, they would be in their own chamber in the morning before they came to Westminster-Hall, and a message might be delivered to them then, and the message might be agreed upon this evening, and might be carried to the Lords, although the Commons should not be sitting at that time.

Mr. Secretary DUNDAS said, that he should not feel himself encouraged to expect, that any suggestion from him would induce the mind of the House to differ from the opinion they had expressed yesterday, as to the postponing of this trial, if there were not strong grounds indeed for that change. It was not competent for him now to move precisely the same motion as the House had yesterday negatived ; perhaps on a future day he should move something to the same effect, when he had made himself master of the points of form to be observed in such a case. But he should now make another experiment, and move that a message be sent to the Lords, to request farther time. He then intreated the House to reflect on all the observations which had been made, and so forcibly urged by the honourable Manager who first called the attention of the House to the subject of this evening's debate. He concurred with that honourable gentleman in every sentence he had uttered upon that subject, and having urged the necessity of the delay, he moved,

“ That a message be sent to the Lords to acquaint their Lordships, that the Managers appointed by that House to conduct the impeachment against Warren Hastings, Esq. will not be able to proceed on Monday next upon that trial; and therefore that the Commons desire, that their Lordships will appoint another day for that purpose.”

The SPEAKER observed, that if this message was agreed to, and carried up to the Lords on Monday morning, before their Lordships proceeded to Westminster-Hall, that House should be in a state to receive the answer; it would therefore be necessary, that forty Members should be in the House early for that purpose.

Sir JOHN INGLEBY moved the standing order of the House that strangers should withdraw. Strangers withdrew accordingly.

After a debate of considerable length, the House divided on Mr. Dundas's motion.

Ayes, 82; Noes, 46. Majority for the motion, 36.

The order of the day being read on the Farnham Hop bill,

The ATTORNEY GENERAL opposed the going into the adjourned Committee on this bill, which, he said, appeared to him to be the most violent measure, that had ever been attempted to be carried through Parliament.

The SOLICITOR GENERAL conceived himself called upon, in the strongest manner, by a regard to public duty, to give his most decided opposition to a bill which militated against every principle, on which rested the sacred and inviolable security of private property.

Mr. BEARCROFT reprobated the principle of the bill in terms no less strong. He could consider it, he said, in no other view, than as a most unjust and unconstitutional attempt to rob a private individual, by act of Parliament, to commit a robbery by legislative authority.

Lord GEORGE CAVENDISH was of a different opinion; in the present instance, it appeared to him, that a gross act of oppression had been attempted by an individual, and he thought it extremely proper that Parliament should interfere to prevent it.

Sir WILLIAM SCOTT begged leave to ask the noble Lord, whether he meant to state that an individual was guilty of oppression in using his property in the manner in which the laws of his country authorised him to use it, and in deriving from it such emolument as he was legally entitled to? He argued ably against the bill, and said he felt himself called upon to give it his most decided opposition in every stage of its progress.

Sir WILLIAM DOLBEN confessed himself perfectly astonished, that after the opinions which had been delivered with respect to the principle of the present bill, by all the law authority in that House, that the honourable gentleman below him (Mr. Rose) should pertinaciously persist in carrying it through the House.

Mr. ROSE got up, and, with much warmth, expressed his surprise that the honourable Baronet, or any other gentleman, should dare to impute pertinacity to him, while he was only following out a measure which a majority of the House had repeatedly sanctioned by their approbation. He declared himself as independent as any man in that House, and said he could not feel very comfortable under such an imputation. The bill appeared to him both just and necessary; unquestionably, therefore, he would persevere to the end in giving it every support in his power.

Sir WILLIAM DOLBEN, in explanation, said, that his admiration of a man *propositi tenacem*, could only extend to that man whose *propositum* was *justum*.

Mr. Cawthorne, Mr. Stanley, Mr. Gilbert, and Lord William Russell, spoke in favour of the bill; and Mr. Burton, Mr. Estwick, and Mr. Wigley, against it.

The House divided;

Ayes, for going into the Committee 38

Noes, - - - - - 19

The House resolved into a Committee; and on a motion that Counsel be called in, the Committee divided;

Ayes, 44; Noes, 4.

Counsel were called in, and heard upon the bill.

The House adjourned.

*Monday, 10th June.*

A message from the Lords informed the House that their Lordships had agreed to the bill for the regulation of the trade and Government of India, and that they would proceed farther in the trial of Warren Hastings, Esq. on the first Tuesday in the next session of Parliament.

Mr. BURCH observed, that there had been a rumour, that some companies of militia had been embodied, but that there were no arms for them; he wished to know the reason for it; he hoped there were arms enough for them at the Tower. He therefore moved, that a list of the necessary arms now in the Tower be laid upon the table of this House.

Mr. COURTENAY observed, that it had always been understood there was a stand of arms to the amount of one hundred thousand kept in the Tower subject to the immediate orders of His Majesty when necessity called for them.

Mr. ROSE hoped the honourable gentleman would not press this motion at this time.

The motion was then withdrawn, under an understanding it was to be renewed on Wednesday.

Mr. COURTENAY then took notice of the subject which had just been opened. He said, that if there was a scarcity of arms, it was necessary it should be known when that scarcity arose. He wished it to be publicly known what was the state of arms in the Tower when a noble Marquis (Townshend) left it; he felt a great desire to do justice to the character of that noble Marquis. Here Mr. Courtenay spoke in the most handsome terms of this nobleman, and concluded with moving,

“ That there be laid before this House the return of the number of small arms and army stores that were at the Tower on the 1st of January 1781.”

Mr. ROSE wished this motion also to be postponed, and that if the subject must be discussed, that the two motions should be made on the same day.

Mr. COURTENAY said, he saw no reason for any delay upon this occasion. Whether Ministers were willing or not to let the Public see a statement of the arms now in the Tower, there was no reason why the account should not be

laid before the Public of the state of them at the time the noble Marquis was at the head of the ordinance.

Mr. TAYLOR supported the motion.

The SOLICITOR GENERAL, opposed it, on the ground that no reason had been given for its being agreed to.

Mr. FRANCIS said, he had nothing in view, but one, which was to ascertain the truth upon this subject; and the ground he went upon was, that there had been a rumour that militia had been called out; and that there were no arms to put into their hands. The motion now before the House he understood to be only a prelude to another inquiry, which he understood to be commenced.

Mr. SHERIDAN said, he thought there were strong grounds for inquiry. It had been stated by an honourable Member, that several parties of militia had applied for arms that they were not provided with; and that there were not sufficient arms to be had for them at the Tower. He did not think that this motion was of any great importance, unless the other was revived. He had heard there was only a stand for between two and three thousand men; if so, (but he did not pretend to know) there had been great negligence somewhere, particularly at a time when there had been created so serious an alarm about an internal insurrection in this country; but that there had been no real occasion for more arms, was a proof of what he always thought, and often said, wanted no proof, that the whole of the cry of alarm was without foundation. He had no objection to this motion being put off to a future day, but he thought the other motion ought to be made also.

Sir WATKIN LEWES opposed the motion.

Mr. ROSE said, he really had no knowledge whatever upon the subject; this was the first time he heard of it, but he could not conceive that any advantage could be derived from bringing it forward at the present moment.

Mr. BURCH said a few words, and seemed to think his motion ought not to be persisted in, after what he had heard upon the subject.

Mr. COURTENAY replied.

The House divided;

For the motion, 10 ; Against it, 30.

The House adjourned.

*Tuesday, 11th June.*

On motion that the report of the Scotch Coal bill be now received, Counsel was called in and heard for the petitioner, Sir John Henderson, against the bill. Counsel having withdrawn,

Mr. Secretary DUNDAS said a few words in answer to the objections of the learned gentleman, and in support of the principle and provisions of the bill.

Mr. Alderman ANDERSON said a few words, and alluded to the hardships under which the citizens of London (whom he praised for the cheerfulness with which they paid taxes) laboured on account of the heavy duty they paid for coals, being 8s. 4d. per chaldron, and more than any other body of men paid for that article : he hoped that when these citizens came to apply for relief in that respect, the proceedings of this day would be remembered.

The report was then received, read, agreed to, and the bill was ordered to be read a third time to-morrow, if then ingrossed.

Mr. WILBERFORCE moved, " That the House do now resolve itself into a Committee of the whole House, to consider farther of the bill to prevent the supply of foreign islands with slaves. This, he said, was merely to strike out some clauses of the bill which were unnecessary, and not to add any thing, or to change the principle of the bill in the least respect.

This motion was opposed by Lord SHEFFIELD and Mr. ESTWICK, upon a point of order ; they maintained that notice ought to have been given of this motion.

Mr. WILBERFORCE gave notice, that he should move to-morrow for the House to resolve itself into this Committee. He then withdrew the present motion.

The House adjourned.

*Wednesday, 12th June.*

Mr. ROSE informed the House, that on account of the late period of the present session, he should defer to the next



the farther proceedings on the Farnham Hop bill ; he justified the steps he had taken in this business, as being founded on the necessity of the case, and observed, that as to the remedy to be applied to the grievance complained of, he did not know precisely what the House would think expedient to do ; perhaps a general regulation might take place ; for it was a clear case, that taking the tythe of hops in kind, would occasion the total destruction of the article ; something, therefore, must be done in the next session of Parliament upon that subject.

Mr. WILBERFORCE moved the order of the day, for the House to resolve itself into a Committee of the whole House, on the bill to prevent the supply of foreigners with slaves ; which being read,

Mr. CAWTHORNE opposed it, as did also Mr. ESTWICK.

A short debate took place. The House divided ;

For the motion, 29 ; Against it, 31.

The bill was therefore lost.

Mr. FOX gave notice, that on Monday he should call the attention of the House to the present war, and for an inquiry into the reason for its continuance on our part, after the object for which we entered into it was obtained.

Mr. WHITBREAD called the attention of the House to a paper, called *The World*, dated the 27th of May, containing a scandalous reflection on the Managers appointed by that House to conduct the impeachment against Mr. Hastings. It was there stated, that a right reverend Prelate (the Archbishop of York) did say, that it was impossible for him to sit silent, to listen to the illiberal conduct of the Managers ; that they examined a witness as if he was not a witness, but a pickpocket ; and that if Marat or Robespierre were there, they could not conduct the impeachment in a more scandalous manner, &c. This, Mr. Whitbread said, was highly indecorous, and an insult not only on the Managers, but also on the House of Commons itself ; and they could not expect the House to think highly of them, if they did not vindicate their own dignity, and take such steps as might lead to punish the propagators of such scandalous calumny. He could have

wished to have confined his motion to the person who uttered the words ; but he found that to be impossible, and that he must move for the prosecution of the printer of the paper in which they were reported. Indeed the printer had thought fit to make comments on these words, and these comments were such as tended to justify the language. Here Mr. Whitbread read the comments, and observed, that that House ought to take the matter up seriously, both with regard to the printer and the right reverend Prelate ; the one for the comments, and the other for uttering the words. That the Archbishop had made use of very scandalous expressions, he could prove ; for he had been at the pains of procuring a transcript from the Short-hand writer's notes taken at the trial. They stated, that after the examination, by Mr. Burke, of a witness on the 25th of May, the Archbishop said, " Upon my word, my Lords, this proceeding is intolerable ; the gentleman at your bar is treated like a pickpocket ; and if Marat or Roberespierre were in the box, they could not conduct themselves in a more improper manner than I have often witnessed in the course of this trial." This was the substance of what the right reverend Prelate said. Mr. Whitbread then expatiated on the impropriety and indecency of these expressions, and called upon the House to support the Managers and their own dignity. The mode which he should propose appeared to him to be the only one which the House ought to adopt upon this occasion. It was, to address His Majesty, praying that he might direct the Attorney General to prosecute the printer of this paper, and then to institute an inquiry, in form, whether the words alluded to had been uttered, when, where, and by whom.

The SPEAKER suggested to the House the propriety of following precedent upon this occasion, and referred to the journals of the date of the 16th of June, 1789, where a prosecution had been instituted against the printer of the *World*, for scandalous reflections upon the House of Commons.— These journals being read, and the paper now in question delivered in and read,

Mr. WHITBREAD moved, " That the paragraph now read contains reflections of a very gross and scandalous na-

ture, and is a libel on the Managers appointed by this House to conduct the impeachment now depending against Warren Hastings, Esq."

Mr. FRANCIS said, he rose to second the motion, and support it by a single observation, suggested, perhaps, by resentment for the wounded honour of the House, and of a particular friend, but leading, as he thought, to reflections materially connected with the present subject. Ever since I have been concerned in the transaction of public affairs, or indeed of any other, it has been my endeavour and practice, taught me, perhaps, by instruction, and certainly confirmed by habit, to turn every thing I read, or hear, or see, or observe in the transactions of life, whether it passes before me, or whether I find it recorded in history, some way or other to my own account, that is, to the improvement of my judgement, or to the direction of my conduct. But I do most solemnly declare, that, since I have had any knowledge of history, or any acquaintance with human affairs, I never yet received such a prudential lesson, as that which it conveyed to me, and to all men, through the medium of my right honourable friend, by the fact which is now brought before you. It is not my intention to enter into the praise or blame of any thing that has been said or done by my right honourable friend, much less to insist upon the eminence of his abilities, the extent of his knowledge, or the persevering application of his faculties, to every subject that engages his attention. The extraordinary endowments of his mind are too well known to require or admit of illustration, by any thing I could say of him. But there is one part of his personal character, which I must take notice of, because it immediately concerns my present purpose. It is the well-known character of my right honourable friend, that, in whatever he undertakes or does, he does nothing by halves, but every thing with force and vehemence, and even in matters of less importance, as the Italians call it, *con amore*. He may be right or he may be wrong; but he is always in earnest. *Quod cumque vult valde vult*. There is nothing like double dealing, or hypocrisy, or prevarication in his character. Whenever he takes part, he goes the full length of his opinion. You know the worst or the best of him. On one particular subject, we all remember with what zeal and ardour he declared himself. Never, never

since ranks and gradations have existed in society, has there appeared in the world an advocate so able, a champion so determined, in the cause of the upper orders in our constitution, as my right honourable friend. He is a powerful advocate wherever he takes part. If ever there was a useful and ardent defender of Nobility, of Prelacy, of Hierarchy, it is *he*. Now mark the return he receives. I am not alluding to a common or casual instance of vulgar ingratitude, but to the particular species and character of the ingratitude he has met with, and from what quarter it comes. A most reverend Prelate, a pious Archbishop, a Judge in the Seat of Judgement, a Spiritual Lord of Parliament, in the face of Europe and of the world, compares my right honourable friend to two of the most abandoned and desperate ruffians, in his Grace's estimation at least, that ever disgraced the cause of democracy—to *Marat* and *Raberspierre*; and declares, that my right honourable friend is not a bit better than either of them.—Sir, he was a wise man who said, *Put not your trust in Princes*. But, after this astonishing example, I think that man must be infatuated, must be a fool indeed, who shall hereafter put his trust in Bishops.

Mr. Secretary DUNDAS said, that when men, supposed to be under the guidance of reason and judgement in an eminent degree, yielded to the heat of their passions, and said improper things, it only proved that they had the frailties of other men, and ought to acknowledge it. Having said this, he confessed that when he came to the circumstances of the present case, difficulties occurred to him as to the manner in which the House should or could proceed. He had no hesitation in saying, that the Managers of the impeachment ought to have the protection of the House; and he was glad to learn, that the right honourable Manager (Mr. Burke), who was in the box when these unhandsome expressions were uttered, had behaved with such moderation as he did; his conduct was very noble: he had put on it, as it were, a deafness upon the occasion, which formed an admirable contrast with the intemperance of the other party. But although this was his opinion, yet he did not know how the House could, consistently with its dignity, proceed: they had no authentic mode by which they could make it appear upon their records that the words were uttered. This complaint should have been made in-

stantly, if at all. Supposing that House should complain to the other of these words being spoken by the right reverend Prelate upon the trial, the Court before which the trial was depending had adjourned for several months; and therefore no proceeding of any kind at this time could be had from that Court. With regard to the paper upon the table, the House might direct a prosecution against the Printer; and then were they sure the Jury would convict? If they should acquit the prisoner, the dignity of the House was so far lessened, because it would appear that they were more jealous of their honour than a Jury of the country thought they ought to be. This had happened before, and no friend to that House would wish to see it again. However, he went no farther than to doubt upon the subject, and if any honourable Member should point out how the House could regularly proceed to a safe point in vindication of its honour and support of its Managers, he should be ready to withdraw all his objections. But he confessed, as the whole case appeared to him, the best thing the House could do at present was to take no farther notice, and therefore he should move that the House should adjourn. Perhaps the present discussion might have a good effect: he dared say the right reverend Prelate now heartily wished he had never uttered the words in question, and the right honourable Manager gained satisfaction for the insult by contemplating on the advantage he had over his adversary in the great contrast of their behaviour. He then moved, "That this House do now adjourn."

Mr. WINDHAM said, he felt as strongly as any man the extreme outrage that was committed by speaking the words alluded to, but he felt a doubt in his own mind whether the purpose to be wished would be gained by the present measure. He concurred in trusting that the offensive words uttered had been followed up by a proper reflection in the mind of the speaker. He agreed also that the contrast between the interference of the Archbishop, and the calm, manly dignity of the right honourable Manager, was highly to the advantage of the latter, particularly when it was considered by whom the words were uttered, to whom they were addressed, and the dignified mode in which they were received. Taken altogether, the matter must be a source of satisfaction to the feelings of the

right honourable gentleman ; and, upon that view of the subject, he felt no difficulty in acquiescing in the motion for adjournment. With respect to the printer, he was of opinion that the comments contained in the paper alluded to were as scandalous as need be ; but then the printer stood in a situation which, although it did not lessen his criminality, yet made it perhaps unadvisable to pursue him, for he was much less criminal than the person who uttered the expressions ; and it would appear awkward before the Public, that the House of Commons should prosecute the lesser offender, at a time when they were compelled to suffer the greater to remain unmolested : it would look like punishing an accessory, and forgiving the principal. These appeared to him to be difficulties, but they were not points upon which he had entirely made up his mind ; they appeared to him to furnish an apology for an adjournment. However, he felt so strongly the necessity of supporting the Managers upon this occasion, that if the honourable gentleman who made the first motion should think fit to persist in it, he should vote with him, though he could wish for an adjournment.

Mr. BURKE assured the House, that the motion of the honourable gentleman who brought this business forward was concerted without the smallest application to him. He then adverted to the mischief of the words in question, and of the mischievous tendency of paragraphs, which had appeared from time to time upon the proceedings of the impeachment ever since it was commenced. He was sure the House would at last be compelled to deal with a heavy hand with respect to the authors, printers, and publishers of these scandalous libels upon the Managers, and all who were concerned in that prosecution. Some time or other he was sure it must be so. With regard to the original motion, he could not agree to it ; for he should never agree to sending into the Court of King's Bench the trial of the privileges of that House, because that House was able, and ought always to be ready, to vindicate its own privileges ; and the mode was the issuing their attachments. He said he should not vote at all upon the subject, and he came to the House chiefly for the purpose of repeating what he had often said, that he protested against committing the privileges of that House to any tribunal under Heaven, except

its own, which was always to be enforced by attachment. He concluded with leaving the matter entirely to the pleasure of the House.

The SOLICITOR GENERAL, in a speech of some length, entreated the House to be cautious in ordering prosecutions to be carried on by the Attorney General, and assured them it was scarcely possible for them to be aware of all the difficulty and inconvenience which attended such prosecutions.

Mr. FOX said, he felt himself in an unpleasant situation with respect to the subject now before the House, not agreeing exactly with any gentleman who had yet spoken upon it. If the doubts expressed by the right honourable Secretary could be proved to be well founded, he should feel no difficulty in assenting to the motion for adjournment; but he thought these doubts ought to be considered a good deal before the House determined that they were well founded. With respect to the short-hand notes which had been alluded to, he confessed he doubted whether they could fairly be deemed evidence upon which any person should be convicted; and upon a former occasion he had urged a variety of objections to that proceeding, but he was over-ruled by the House upon that subject. But let the House consider how that matter stood. When a question came before that House for the censure of a right honourable Manager [Mr. Burke, for what he said against Mr. Hastings and Sir Elijah Impey upon the trial and execution of Nundoomar], the short-hand writer was called to the bar of the House, and asked questions upon his notes of the speech of the right honourable Manager in Westminster Hall in the prosecution against Mr. Hastings; upon the evidence of these notes that right honourable gentleman was censured by that House. Now a question arose upon this: were the notes of a short-hand writer good for the purpose of proceeding to censure a Manager of the impeachment of Mr. Hastings, and not good for the purpose of protecting him from a gross insult? This was not all: there were other views in which this subject appeared to him, and they were more general than any he had yet heard upon it, and upon which he should be sorry the House would not take this business up in a serious manner. With respect to the conduct of the right honourable Manager, it was what he highly applauded: whether he should have had

temper enough to conduct himself in the same way, was what he exceedingly doubted; but he commended that right honourable gentleman for his conduct upon that occasion. Having said this, he must now observe, that he looked farther than this impeachment, and felt some apprehension, not only for the character of that House, but also for the opinion the world might be led to entertain of the Constitution itself, if something like justice did not appear to be impartially administered in this country upon the subject of libels. This was an eventual year—a great many libels, some upon the Constitution, some only supposed to be so, and some upon other points, had been brought forward, and their authors, printers, and publishers, had been sentenced with a severity, with a degree of rigour, of inhumanity, that no danger that had threatened us could justify, no bad or false representation deserved, no calamity to be averted even called for. Now if it should go abroad that there was in fact a principle which guided that House, such as had in his hearing often been to his mind foolishly and unconstitutionally asserted, that the House of Commons were ready to resent an insult from below, as they improperly termed it, by which they meant the People, and that they were ready to overlook an insult from above, by which was meant the other branches of the Legislature—if, he said, such an impression was once felt, the result would be a conviction, that the House of Commons, in all its attachment to its privileges, proceeded to exercise them only against the People; and that with regard to the other branches of the Legislature, the House of Commons observed a servile complaisance. He had often had occasion to make these observations upon several contests with the Crown; and he could not help thinking that they ought now to be renewed, and that the People should have as little reason as possible to feel the truth and force of them. Should the case be otherwise, he should tremble for the fate of the Constitution itself. He left the House to judge whether these observations applied at all at this time, when there was such a cry for supporting the Constitution. The House would remember with what readiness some of the people were prosecuted for libels, and ask themselves whether the words here spoken were not of that nature, and that the only difference was, that in this case the insult came from a Member of the



House of Peers? With respect to the silence with which this matter had been treated by the right honourable gentleman, he must say he approved of it ; but then that silence was of no avail, for who could dissemble from himself, that by the medium of newspapers it was become a public thing, that the Managers had been grossly insulted on the trial of Mr. Hastings by the Archbishop of York ; not the Managers merely, nor the House of Commons, but also the People of England, had been insulted. If the House were desirous to have it understood that the Managers were not to speak on the trial of Mr. Hastings, but in such and such terms, and that if they spoke freely, the House would not support them when they were thus treated, he owned he thought they were hardly treated. When the House chose him as one of the Managers, he was no stranger to them : they knew his way of thinking ; they knew his manner of speaking : if they expected him not to speak with warmth and as much energy as he was able, that he was not to describe vice in the most odious colours he was able, and that with an express view of exciting all the resentment and indignation of mankind against the guilty, they would be disappointed while he continued to be a Manager ; he therefore had no idea of being compelled to conform with the fastidious taste of any Peer, who might think this or that expression ungentlemanly : he must judge for himself, and employ the words which appeared to him to suit the subject on which he was speaking, and if the House disapproved of him, they could remove or censure him. The question now remaining was, whether the House should, under all the circumstances now before them, proceed to doing themselves justice? If it could be proved that that was at this time impracticable, he should consent to let the business end here ; and upon that subject, he owned, he did not feel himself entirely convinced by any thing that had been said ; the inclination of his mind was, that they might very well proceed against the printer, and also against the right reverend Prelate ; and as to the mode of proceeding in general, he confessed that when the privileges of that House were invaded, he thought that the House alone were competent to decide the question : he was sure they would never be safe, or of permanent existence, if any other mode of procedure was adopted. With respect to

the printer of the paper in question, the punishment of him was not his object in this business, nor severity to the right reverend Prelate, whose character in many respects was highly honourable, whose venerable age entitled him to respect, and whose late domestic affliction made him an object of condolence. It was not the feeling of a personal resentment against him that occasioned these observations; it was a consideration paramount to all others for a Member of that House—a regard for the honour of that House, and for the well-being and continuance of the best principles of the Constitution of this country. Were these words applicable to him personally, he should have known how to forgive them long ago, if asked to do so. But he must have it understood, that if any person spoke disrespectfully of the Managers upon such a trial, he spoke disrespectfully of the People of England, and the House of Commons were obliged to stop such language, and, if they think fit, to censure the author of it. He believed that no Judge, in any of the inferior Courts of this kingdom, would have suffered such words from one party to another, and the Lords ought to have censured the noble Prelate after he uttered the expression. If the House saw any difficulty in proceeding, they might suffer the matter to rest as it stood: he had given his opinion—he had done his duty—the subject he now left for the judgement of the House.

The MASTER OF THE ROLLS was of opinion, that it was impossible that any proceeding as to this matter, so far as regarded the right reverend Prelate, could now be carried on in any regular or parliamentary form. In this view, and as he understood that it was not intended to press any motion against the printer, he would vote for the adjournment; though had any separate motion against the printer been insisted on, he must have given it his support. If the adjournment took place, the matter would be forgotten.

Mr. FRANCIS observed, that as all the proceedings in the trial were taken down in short-hand, the speech of the right reverend Prelate would, as well as other proceedings, be handed down to posterity.

The MASTER OF THE ROLLS conceived this speech to form no part of the proceedings, and did not therefore see

how it could go down to posterity as forming any part of these proceedings.

Mr. Serjeant WATSON thought that the House would act with little regard to its own dignity in taking any step in a matter of this kind, where there was any degree of doubt as to the success; he was therefore for the adjournment.

Mr. BARTON said, that the words spoken by the right reverend Prelate were properly no part of the proceedings in the trial, and of course, when it came to be printed under the authority of that House, it would not contain these words. He said, that if the printer were to be prosecuted, it was at least difficult to say whether it might be possible to prevent him, in his defence, to bring forward evidence as to the conduct of the Managers during the whole of the trial, and so to submit it to be judged of by twelve Jurymen pending the impeachment. He spoke in high terms of panegyric of the right reverend Prelate, and made a pathetic appeal to the House with respect to his paternal affection, and the distress of his family at the time.

Lord Fielding said a few words.

Mr. DRAKE, jun., said, that when an address to feeling, and an address to reason, were at the same time made to the House, they ought surely to prevail, and he trusted they would do so; he was therefore for the adjournment.

Mr. SHERIDAN said, he had heard several reasons urged, which, if they had been stated to his honourable friend in the lobby, before he came into the House, might perhaps have gone to induce him to delay making the motion which he had done, but which could afford no argument whatever for slipping it over now that it had been brought forward. The chief argument seemed to be, that the matter would be forgotten, and would not go down to posterity; but the contrary of this was well known, and that, in State trials, every thing that passed in the Court was stated. That the words had come from such high authority, was, of all others, the strongest reason why they should not be submitted to. Mr. Sheridan said, nothing could lead him to agree to any compromise upon the subject, except the argument of feeling; but he trusted the right honourable gentleman opposite to him (Mr. Dundas)

would agree to withdraw his motion of adjournment ; for otherwise how would the matter appear upon the Journals of the House ? His honourable friend had made a motion, that the passages alluded to were a scandalous libel upon the House ; and if this motion was got rid of by an adjournment, they would, in fact, stand branded by their own Journals. If the first motion of his honourable friend should be agreed to, it might be understood that no farther proceedings were to be founded on it.

Mr. WHITBREAD said, he considered the matter, in fact, as an insult offered by the House of Lords to that House. If he had had the support of the right honourable gentleman opposite to him, he would certainly have followed out the matter to the full extent : he had no doubt he would have been able to prove that the words were spoken, and by whom they were spoken ; and he saw no difficulty in the way of adopting such measures as might vindicate the honour and dignity of that House. He could not, however, agree to withdraw his present motion, and he hoped the right honourable gentleman would withdraw his motion for the adjournment.

Mr. Secretary DUNDAS said, that every thing he had heard had confirmed him the more in his opinion as to the impropriety of proceeding farther in the business ; but, if the honourable gentleman thought it looked better, he would have no objection to withdraw his motion, " that the House do now adjourn," in order to move, that the debate be adjourned for a fortnight.

Mr. SHERIDAN said, that he would certainly prefer a motion for adjourning the debate, but wished the right honourable gentleman to make his motion for adjourning the debate only till Monday next. If, betwixt that time, any proper mode of proceeding should occur to him, he would then bring forward another motion on the subject.

The SPEAKER said, that no amendment could be made to the question of adjournment, which must therefore be first disposed of.

Mr. Baker said a few words ; after which the Speaker put the question, that the motion, " that the House do *now* adjourn," be withdrawn ; on which a division took place ;

Ayes, 8; Noes, 60.

Majority against withdrawing the motion, 52.

The House then adjourned till Monday next.

*Monday, 17th June.*

Mr. Secretary DUNDAS delivered to the House, by His Majesty's command, copies of treaties concluded with the Empress of Russia, the Landgrave of Hesse, and the King of Sardinia. [Copies of which are inserted in the Appendix to this volume.]

A report was brought up from the Committee to which the petitions, praying for a reform in the Scotch Burghs, was referred.

Mr. SHERIDAN said, it was his intention to move that the report should be printed for the use of the Members, to the end that they might have an opportunity of seeing and considering during the recess the whole of the important case, to which the report referred.

Mr. JEKYLL said, he wished to call the attention of the House to a subject which, in his opinion, was well deserving of serious consideration. An act of Parliament, he observed, had passed appointing Commissioners to inquire into the salaries, fees and emoluments of the persons employed in the different public offices. A Report was made by them, from which it appeared that to many sinecure offices were annexed very high salaries and emoluments, whilst those officers who filled situations of great confidence, and which required constant attendance and exertion, were rewarded in a manner very inadequate to their labour, and to the trust reposed in them. This Report, though lying on the table of the House, was very little known; and consequently the benefits which the adoption of the measures recommended by it could not fail to produce, were lost to the Public. His object in speaking on this subject was to shew that it would be of public utility that the Report should be printed; and indeed a motion for printing it was so much a matter of course that he thought he might make it without urging any one argument in support of it: however, he understood there was one objection to the printing of this Report, viz. that it was so voluminous that the expence of printing would be very considerable. He admitted that the

expence, according to an estimate made, would amount to about 700*l.*, but this he did not think a good reason for not printing it; for the saving which the measures recommended by the Report would produce would be so considerable as to make that expence cease to be an object of weight. If the Report was to remain unknown, those measures could not be adopted, and the saving to the public would be lost; so that the expence which might be incurred in making those measures known would ultimately be an undeniable gain; and indeed if the contents of the Report were not to be made known to the Members, he could not conceive why it was framed at all, or why the Parliament should have taken the trouble of appointing Commissioners to frame such a Report. If the expence attending the printing of voluminous reports had always influenced the House, the Public never would have seen in print the several volumes of reports made by the Commissioners appointed to take and state the public accounts. He concluded by moving that the Report to which he had principally referred should be printed for the use of the Members.

Mr. Secretary DUNDAS said he had but one objection to the motion, and that was the expence which it would occasion, and which he was sure would amount to much more than 700*l.* or even 800*l.* He had his doubts also, he said, whether the honourable Member's object—to make known the contents of the Report, was likely to be attained, if his motion should be carried; for he very much feared that gentlemen would not feel themselves disposed to go through the fatiguing and unentertaining task of reading through six or seven folio volumes. What had swelled the size of the report was the Appendix annexed to it; if the honourable gentleman would confine his motion to the printing of the Report itself, without the Appendix, the objection on the score of expence would vanish, and he would not give the motion any opposition.

Mr. GREY said, it was his intention to have moved for the printing of the Report; but he was deterred by the expence which it would occasion, and which had been estimated at about 700*l.* an expence which it was not his wish to bring upon the Public; however, as it would be of great national utility to have the contents of the Report fully known, he

would vote for the motion, even if the honourable and learned gentleman should press for the printing of the Appendix.

Mr. JEKYLL having expressed his readiness to give up the printing of the Appendix, the motion was carried.

Mr, Secretary DUNDAS reminded the House that he had promised to bring forward a proposition during the present session for establishing a militia in Scotland. But as the session was now at its close, he did not mean to propose any final arrangement on this head; all he intended to do for the present, was barely to submit to the House the plan which he had formed, to the end that gentlemen might have an opportunity of thoroughly considering it during the recess, and be enabled to decide ultimately upon it in the course of the next session. He said, he had drawn up his plan in the shape of a bill, which he intended to move the House for leave to bring in immediately, that it should be read a first time and printed; but that it should not make any farther progress this session. He wished to collect the sense of the Public on a subject of such national importance as this; he knew that in Scotland there were various and opposite opinions respecting the establishment of a militia; at the same time he was free to confess that it was in his judgement the fittest, because the most constitutional mode of defence for that country; but until it could be established, he had concurred in advising that species of establishment (fencible regiments) which for some years past it had been the custom of the Crown to resort to for the defence of Scotland. Having premised these observations, Mr. Dundas moved for leave to bring in "a bill for regulating and ordering a militia in that part of Great Britain called Scotland."

The motion was carried without opposition; the bill was immediately brought in and read; and the House ordered that it should be printed for the use of the Members.

Mr. WINDHAM, adverting to the Report made by the Committee appointed to inquire into the particulars of Mr. Mudge's petition, used several arguments to shew that the invention of which Mr. Mudge was the author, gave him a fair title to a parliamentary reward: he was aware, he said, that the extent of the benefit which the Public might derive from this invention, through the improvement that it would make in time-keepers, could be ascertained only by subsequent

experience; for the present therefore he would ask only for a moderate reward for Mr. Mudge, leaving him at liberty to apply hereafter to Parliament for a greater one, if it should be found that the benefit to the Public was greater than it was at present fair to suppose it would be. He then moved an address to the King, praying that he would be pleased to grant to Thomas Mudge, Watchmaker, the sum of 2500*l.* as a reward for his invention for the improvement of time-keepers, on condition that he should disclose the principles on which the improvement was made, and assuring His Majesty that the House would make good the said sum to him.

The motion was carried without any opposition.

Sir WATKIN LEWES, in pursuance of a notice which he gave some time since, moved for an address to His Majesty, praying that he would give directions that a monument should be erected in the Cathedral Church of St. Paul, in the city of London, to the memory of Lord Rodney, Vice Admiral of Great Britain, with a suitable inscription, stating the services he had rendered his country, by the protection he afforded to the British possessions in the West Indies.

The motion passed unanimously.

He then moved another address, for a monument in the same place to the memory of General Lord Heathfield, with an inscription recording the fame he had acquired for himself and his country, by his glorious defence of Gibraltar.

This motion also passed unanimously.

Mr. FOX rose to call the attention of the House to the motion respecting the war of which he had given notice; he said he should not have troubled the House, nor presumed to have offered his sentiments upon the subject he was about to introduce, which related to the general situation of this country, if circumstances had not clearly required he should do so. He arose, therefore, to state to the House the reasons which induced him to think it was the duty of that House to take such steps as might testify a change of opinion with regard to the continuation of the war, as applied to their former votes upon that subject. He hoped no person would be so uncandid as to suppose that if upon that day he waved the consideration of those points which he had urged upon former occasions, as to the justice and policy of the war, that therefore it was to be



taken for a proof that he had changed his opinion upon the measures which brought about this unhappy war. Such a conclusion would be unjust, and he trusted no gentleman in that House would draw it. He trusted the House would feel that if he waved all these topics, it was because he did not consider them as necessary for the illustration of the arguments he had to submit on the present occasion. He should, therefore, for the sake of argument, grant (always begging it to be understood by the way, and for the sake of argument alone, he did so) that the present war was a just, prudent, and necessary war, called for and entered into for the general safety of Europe, and for the interest of this country. This was the broadest way in which he could lay foundation for argument; and upon principles so laid down, he should state why he thought it was necessary at the present time, under the present circumstances, for that House to interfere and to give its opinion in an address to the Throne, as he should have the honour of moving. If there were any who thought that this might have a bad effect upon the public mind, all he could say, was, that on his part that would not be intentional, as he was of a different opinion. He had always understood that the grounds of the present war on the part of Great Britain were principally these: First, the particular alliance we had with the Dutch, attacked as they were by the French. Secondly, not only this alliance, which in point of good faith called upon us to act from a regard to our own honour, but also on account of the interest we ourselves had in the issue. There was another ground stated, and that might be divided into parts, as indeed on former occasions it had been, he meant that which was stated upon the general footing of the aggrandizement of France, and the effect and operation of the spirit of their councils. These were the grounds upon which we undertook the present war. His object was now to shew, that upon none of these grounds could the present war be continued. He knew he might, and perhaps he should be told, that we had been at considerable expence in this war already, and that we had met with considerable success in the prosecution of it hitherto; therefore gentlemen inclined to insist upon these points, would say, that under such circumstances it was fair for us to say, that we were intitled to indemnity for the expences we

had sustained, and security against future danger, or that if we had not, the war should be followed up with vigour.— That principle, as far as it regarded the situation of our allies, he did by no means deny; but the continuation of the present war for indemnity to ourselves and indemnity only, after the real object of the war was gained, could be maintained only upon prudential considerations: now taking it as a matter of prudence, he should wish to ask what could we promise to ourselves upon the continuation of the present war? What was it that we proposed to gain? These were all the grounds he should have to submit to the House. In the first place, therefore, he should apprehend from these premises, that whatever sentiments of indignation the people of this country might feel with regard to some of the proceedings on the part of France, pretty general the indignation was felt, and by none more than by himself, yet he believed it was not in the contemplation of the people of this country, at the commencement of the war, to insist on giving France its old absolute monarchy, or indeed to insist on giving it any form of Government whatever, or to interfere with any form of Government that might be found in that country. He thought he was stating nothing more than the general wish of the people of this country, and what they felt at the commencement of the war, that the object of it was not that of giving to, or insisting on, any form of Government to France. He stated this point negatively, because it would hereafter make the positive part which he should afterwards submit the more intelligible. We were not to revenge the death of the King of France, at least we were not to go to war for that purpose, although he felt as much as any person in this country upon that melancholy occasion, and he believed, that in this country at least, it was an event unanimously lamented; yet it was not for this that we went to war, how far the indignation of the people had been raised upon that topic, it was unnecessary for him to say; it was sufficient in the present instance for his purpose to say it was not the ground of our going to war, either insisted on by the most sanguine advocates for the measure, or by the still higher authority of the communication from the Throne.— The object of the war avowed was, as he had opened in the commencement of his present address to the House, to pre-

serve Holland as our ally, and to prevent the aggrandizement of France, which was said to be formidable on account of the sentiments which appeared to actuate their councils. There was indeed another ground, which was, that the French had declared war against us. That being admitted to its full extent, would go only to the establishment of one principle—that of making the war a defensive war; by a defensive war he did not mean to describe the mode of carrying it on, for it must be carried on, as all mankind knew, by force of arms; but it was on that account merely a defensive war in principle, which ceased with the occasion that gave it birth. And if he were asked, when was the time he would put an end to such a war? He would answer, when we could make our enemies desist from carrying on their operations against us; subject to the consideration of an indemnity, if indemnity could be obtained by prudential, desirable means; always keeping in view, that indemnity was also a point to be governed by considerations of prudence and discretion. If, therefore, we had no ground for suspecting that France had any farther means of acting hostilely against us, or any of our allies, we could not justify to ourselves the continuance of the war solely upon the ground that France had declared war against us. When we had put an end to the aggression, then was the time to put an end to the war so commenced. With respect to Holland, our ally, he must observe, that the question, whether Holland be now safe from any attack from France? was easily answered; and he believed that every man in that House, and every man of intelligence in this country knew the answer to be in the affirmative—But whether in the present state of affairs the future safety of our allies, the Dutch, was to be secured by our pursuing the war in conjunction with the other combined powers, was a question not easily answered in the same way—How far, if this war was countenanced by us, the general safety of Europe would be preserved, was a topic he did not wish to decide upon, because it afforded, in his opinion, a prospect that could not be agreeable to any man who had the least regard for the principles of liberty—all he meant in this place was—that the Dutch, as well as ourselves, were at this moment sufficiently fortified and guarded against any attack from France—Was there a man this day in this coun-

who seriously thought that with regard to Holland and to us, peace could not be made with France with perfect safety? Now he came to the consideration of the general state of Europe at this moment. We attacked France, because our allies were attacked by her—and because we saw in the character and spirit of her councils, views of her own aggrandizement. Was this spirit, and were these views peculiar to France?—Had we not witnessed the same spirit in other powers of Europe? Had not all parties in that House, all the people of this country, concurred in detesting the conduct of the present combined powers with regard to Poland? Was not that scene sufficiently infamous; Did it not exhibit sufficient tyranny, oppression and breach of faith? Could we conceal from ourselves the conduct of Russia and of Prussia upon that subject? Were we to partake of the infamy of that transaction?—God forbid we should. Let us ask ourselves, with all the indignation we naturally entertained against the conduct of France on many points, whether the conduct of the Court of Berlin and the Court of Peterburgh in their invasion of Poland, and afterwards the partition of it, was not equal in infamy to any thing that France was ever guilty of? Upon this part of the subject he had some observations to make to some Members of that House, upon the alarm they expressed in the commencement of this session, at the progress of the French. What did these gentlemen now feel when reflecting on the conduct and the progress of the Empress of Russia, and the King of Prussia? Was this matter of alarm to any of these gentlemen? But it seemed that nothing was now to be alarming but French principles. Such were the horrid effects of fear on account of these principles, and so far it had affected the Empress of Russia and the King of Prussia, that they had laid hold of Poland in the panic. He begged pardon of the House for introducing any thing ludicrous upon so grave a subject; but a story which he remembered, appeared to him so apposite, that he could not resist the temptation of reciting it: “A person detected in the act of taking a watch out of the pocket of another, being accused of it, confessed the fact, but said in his defence, that he had been struck with a panic, and in his fright he had laid hold of the first thing he could, which happened to be the gentleman’s watch which he conveyed into his pocket.” If, in

the present case, Poland was the first thing these great powers, Russia and Prussia, could lay hold of; such was the effect of these royal alarms, such the conduct of these Royal panic-struck Sovereigns, that in the spasms of their fear, they could not quit their hold, and having each an equal right to retain what they had within their gripe, most equitably agreed to divide the kingdom between them! Did gentlemen think themselves happy in seeing this mode adopted to resist French principles. Was this conduct less dangerous to Europe than that of the French? He knew many reasons why it was more dangerous. One was, that such a combination of despots were carried on with more secrecy, than in the wild state of a democracy was possible at any time. And here he wished to know what answer gentlemen would give him, if he asked, whether they thought, that, even if the French had been able to retain all they took, Flanders and Brabant, it would have been more dangerous to the general prosperity of Europe than this division of Poland? Or that now they were restored, and supposing them to be under the condition they stood in by the order of the Emperor Joseph, was there a man in that House of opinion, that our safety required the continuance of this destructive war?

As to Savoy, he should say nothing by way of comment upon the conduct of Great Britain; he believed that business had been commenced on the part of the French, without any thing intended to be done by us, and certainly without any promise of assistance from us to the party attacked; and therefore we were not involved in any point of honour on that account. He had indeed been told, but he had no means of arriving at real knowledge upon the subject, that application had been made to us at that time, and that our answer on that occasion amounted to a flat negative. In short, he wished to ask gentlemen who heard him, whether, from all the circumstances put together, relative to this war at this moment, might not peace now be obtained from France, even with the restitution of the King of Sardinia's dominions; but he should think it hard if this country was bound to insist upon such terms. It might be asked of him, whether, when we had spent millions in the prosecution of the present war, and considering the situation we are in at the present moment, and likewise that the convulsion and

distraction of the French make it improbable they will be able to proceed without destruction, shall we make peace? He would answer—yes. He did not think but that some indemnity might even now be obtained from our arms in the West Indies; but he called for peace as a matter of prudence on our part, under all the circumstances by which we were surrounded; and here he came to the melancholy part of the argument; for although no views of commerce could justify the continuance of any war, after the aggression that provoked it was at an end, yet views of commerce might induce us to conclude a peace as soon as we had obtained the object for which the war began; in all cases where our honour was not at stake, even although the terms were not such as we might originally have expected. And now he must, however reluctantly, come to the present situation of this country. The desperate state of the disease might be judged of from the nature of the remedy which they had lately been called on to apply; and here he would desire them to ask every man, whether peace at this time is not indispensably necessary for the safety of this country in a commercial point of view? Let us ask every man in the kingdom, who has any commercial dealings, whether the accounts he receives from any part of the kingdom, do not call for a conclusion to this war? Let us ask every man possessed of the smallest information upon the subject, whether he ever heard of a war more destructive to the commerce of the country than the present? Let us see whether almost every manufacturing town in the kingdom did not give melancholy proof of the truth of these reflections. Whether the town of Manchester, and others in its neighbourhood; whether Wiltshire, and all the West, did not prove the same thing? Some indeed had imagined that the city of Norwich had escaped from the mischief. But he was perfectly sure that if his right honourable friend (Mr. Windham) immediately connected with that city, should take an opportunity of speaking upon this subject, he would acknowledge the truth of those assertions, although he had reason to fear he would differ from the conclusion he should draw.—Let us, however, look at the real state of our affairs: Let us acknowledge, that a continuance of war may bring on the greatest calamities upon us. Let us not ask ourselves, what indemnity we ought to have of France; but what has France

in her power to bestow? What has Europe to bestow upon Great Britain that will equal the shock that may be given to her commerce by continuing the present war? He knew there were many who maintained, that the present war was not the cause of the present commercial embarrassments of this country; he did not agree with those opinions. But supposing them to be right, he would then say, that whatever was the cause of our distresses in that respect, we could not look with any rational hope of amending our condition, without the advantages of peace; and he was ready to express his perfect conviction, that peace must be had for our recovery. Taking this for granted, as he must, he would ask, What it was that all Europe could give to us by way of indemnity for our proceeding farther in this war? What was it that we were now fighting for? For our religion? It was not attacked. For our Constitution? It was perfectly secure. What if France was distracted, Was that of benefit to us? What if we made law to-morrow for France? What if we exacted indemnity? What had she to give? What had Europe to give to Great Britain for the prosecution of the war? He said, he saw no room for supposing that the House would not do him the justice to believe that he did not speak from any party warmth upon this subject. He thought that notwithstanding he had generally the misfortune to differ from the majority of the present House, yet they would see upon this occasion the necessity of concurring with him in expressing an earnest disposition for the termination of the war, because all agreed in opinion that when the object of the war could have been obtained the hour of peace should arrive. What stood now in the way of peace? We had no alliance with Austria upon this occasion, nor any in that respect with the King of Prussia. With respect to Holland, any proposition for peace must be acceptable to them. But we had an alliance with the Empress of Russia, this day laid upon the table; in that alliance there was an article he was sorry to see, by which we engaged not to lay down arms but by mutual consent; and by which we might be called upon to adopt the principles of the Court of Petersburgh, in the prosecution of the war. Principles in themselves at all times very dangerous, but alarmingly so at this time, because we might be compelled to pursue the war until the objections of

the Empress were all removed. With respect to the treaty with the King of Sardinia, that was more direct and positive; but he should say no more upon these topics at this time, because that House had not yet adopted them. Another point remained. He knew the difficulty which had been often started with respect to peace. Upon this a question had been asked, whether we were to treat with France in its present state? To which he answered—yes. With him, or them, be he or they what they will, you ought, and ultimately you must treat, with those who have the Government in their hands: he was sure of this. If the contrary be true—if we treat with them only, on a plan of our own, as to a form of Government, we must be at war with them until we beat them; and we should in that case fight with them until they should obtain a legally established government—Good God! what was there in their proceedings that made us look for an established Government among them? What reason had we to expect that event to take place? When and how were we to enforce it? Let them suffer the penalties of their own injustice—let them suffer the miseries arising from their own confusion—Why were the people of England to suffer because the people of France were unjust? Why was every man in England to be a sufferer, because the people of France were in confusion, and that too when France had no power to annoy us, and when we could conclude peace with safety to ourselves and to our allies? If we were determined to say, we should not make peace with the French until they have a form of Government which we shall approve; that would amount to saying, we would dictate to them a form of government; and if that had been avowed at the beginning to that House, he was confident they would not have adopted the war at all; and although it was His Majesty's undoubted prerogative to commence it of his own will, yet the House would have refused to pledge itself for supplies for carrying it on. If he was asked, With whom we could have signed a treaty of peace some time ago? He would answer, With M. Le Brun. All those who had supported this war had agreed that peace, if it could be obtained, was a desirable object; and in all that had been said or done by the National Convention, every thing that had been said or done in the city of Paris, demonstrated this; it had ever been



the opinion of that people, that a peace with this country was the most desirable of all objects for them to obtain. He owned, for his part, the necessity of this country's being at peace with the French, and all the people of England would see it in the same light very soon, unless they were ready to say they would pay for the follies of the French. It was a new thing to hear, that to be at peace with a people, we must be pleased first with the form of their Government. He knew it was not wise to treat in general with those whose power was unsettled. This applied to treaties of alliance; but when peace was the object, this doctrine was not to be admitted, as, otherwise, we might be at war for ever.

He felt a considerable deference to others in speaking on parts of this subject now. From what he had seen some time ago, he knew there was a cry in that House for entering into this war; but he thought now, that if ever there was a period when a man spoke the opinion of every man in this country upon any subject, it was now, that he said peace was an object the most desirable of all others. He must say, that every measure should now be taken to put an end to this ruinous war; and an immediate termination of it, was almost the universal desire of the people of this country. Whether it was the opinion of the House or not, he could not tell; but he believed, that his opinion upon this occasion, was almost without exception, the opinion of the public. He did not advance this upon slight ground, he had very good information for what he said, and he hoped it would be listened to with attention.

A report had gone abroad; how true it was, he did not presume to determine, because he had no means of accurate information; but certainly a report prevailed, and he knew there were many who thought, that some of the most efficient Ministers of the Crown, who felt the distress of this country, and the absurdity of continuing the war, were at the present moment friends to peace; and since he had considered of making the motion with which he should have the honour of concluding his address to the House,—some persons told him, that he was strengthened in his opinion upon this war by some persons high in His Majesty's Council; be that as it may, he did not say he wished for the sanction of this or of that man;

he wished that whoever favoured should be emboldened to persist, and then he trusted the Crown would be advised in the Cabinet to put an end to this war; if it should be so, it would give him the most heartfelt satisfaction.—He knew that the opinions of many in that House might be an argument for changing the opinions of some of the Members of the Cabinet. He therefore thought it possible that by diligence, his object might be gained. He confessed that he so earnestly desired peace, and saw the policy of it so strongly, that if there was any one of the Council of the King who wished for it, whatever situation that person held, and if he said he thought the continuance of this war dangerous, and wished to put an end to it, such person for such a purpose should have his support, and he was in hopes that the motion he should make to-night would strengthen that opinion. He was the more inclined to think that would be the effect of it, from experience of the past. We all remember the American war—war, during a long period before the termination of it, there was great reason to believe, indeed there was no room to doubt it, that not only the House of Commons and the people of this country, but also many of the efficient Ministers of the Crown, wished to put an end to it. Whether that was the case as to the latter part in the present case he could not tell—But this he would say, that whenever any Minister should stand forth, and regardless of the impression he should make upon the party on whose favour he might principally depend, avow his sentiments upon this subject, let it be the right honourable gentleman opposite to him (Mr. Pitt), he should be glad to join with him upon that subject, and afford him all the aid in his power.—The American war was an awful example to the people of this country, and he hoped we were not doomed to endure another such calamity. He must once more call upon the members of that House, to exercise their own judgement and to look at the small possible advantage to be gained, and the almost inevitable ruin of pursuing this war, and then act with courage, and put an end to this dangerous and destructive measure: he hoped and trusted they would so act; and if they did, he was confident he should give consolation to them by the measure he was now going to suggest.

He then moved,

“ That an humble address be presented to His Majesty, to lay before His Majesty the humble representations of his faithful Commons on the present awful and momentous crisis; a duty which they feel themselves the more especially called upon to perform at this juncture, as a long and eventful period may probably elapse before His Majesty can again have an opportunity of collecting, through their representations, the real sentiments and wishes of his people.

“ In the name of the people of England, His Majesty’s faithful Commons are bound to declare, that they concurred in the measures necessary to carry on the present war, for the objects of defence and security, and for those objects only.

“ That any plan of aggrandizement, founded on the present distressed situation of France, much less any purpose of establishing among the French people any particular form of government, never would have had their concurrence or support.

“ In expressing these their sentiments and opinions, on entering into the present war, His Majesty’s faithful Commons are sensible that they are only repeating those benevolent declarations, which policy, and a careful attention to the real interests of the British nation, induced His Majesty to use in his most gracious speech from the throne at the beginning of the present session of Parliament, and in repeated messages to this House.

“ To represent to His Majesty, that though his faithful Commons have the most perfect reliance on His Majesty’s sacred word and promise, solemnly pledged to this country and to Europe, not to interfere in the internal affairs of France, or to enter into the views and projects of other powers who, in the present war, may be actuated by motives far different from those which govern the conduct of His Majesty; yet they feel it to be their indispensable duty to call His Majesty’s most serious attention to some of the circumstances, which have occurred since the commencement of the present unfortunate contest.

“ The French arms, which after a successful invasion of Brabant, had threatened the security of His Majesty’s allies the States General, have since been confined within their own territory, and are now occupied in defence of their frontier

towns against the united forces of His Majesty and his allies. The danger apprehended from the former conquests and aggrandizement of the French nation, appears therefore to be no longer a subject of just uneasiness and alarm.

“ Some of the powers engaged in the confederacy against France, have, on the other hand, openly avowed, and successfully executed plans of domination and conquest, not less formidable to the general liberties of Europe. The rapacious and faithless dismemberment of the unhappy kingdom of Poland, without having produced, as far as it appears to this House, any remonstrance from His Majesty’s Ministers, has excited in His Majesty’s faithful Commons the highest indignation at so daring an outrage on the rights of independent nations, and the keenest solicitude to rescue the honour of the British Government from the suspicion of having concurred or acquiesced in measures so odious in their principle, and so dangerous in their example to the peace and happiness of mankind.

“ The severe calamities which, since the commencement of the present war, this nation has already experienced,—the shock given to commercial credit, and the alarming consequences which the failure of the mercantile and manufacturing interests threatens to the public revenue, and to the general prosperity of the country, cannot have failed to attract His Majesty’s attention, and to excite in his benevolent mind a sincere desire to relieve his subjects from distresses of which they cannot hope for a termination but in the speedy re-establishment of peace.

“ His Majesty’s faithful Commons make it, therefore, their most earnest and solemn request, that His Majesty, taking into his consideration all the above circumstances, will not fail to employ the earliest measures for procuring peace on such terms as are consistent with the professed objects of the war, and with that good faith, strict justice, and liberal and enlightened policy which have hitherto so peculiarly distinguished the British nation.”

Mr. HUSSEY seconded the motion.

Mr. WINDHAM said, that his right honourable friend (Mr. Fox) in support of the motion for an address to His Majesty, which he had now brought forward, had assumed

and laid down what the objects were which had been held out and avowed, as the precise objects of the present war ;— which objects he had stated to be now attainable by negotiation, if not already attained. So far as the declared objects of the war regarded Holland and Flanders, he had no great fault to find with the fairness of his right honourable friend's statement ; but, with respect to the alledged disavowal of any interference as to the internal government of France, there appeared to him a manifest error, or at least a want of sufficient precision in that statement. He was ready to admit that there had been a disavowal of any intention on our part to interfere, for the purpose of establishing in France any particular form of government, whether monarchical, democratic, or despotic ; but he conceived it to have been an avowed purpose of the war, to endeavour to bring about the establishment of such a government, in that country, as we might, with safety, treat with ;—we were to prosecute the war, till we could make peace with safety. For his part, he said, he was yet to learn any principle in reason, or any rule or example in practice, by which a country could be called upon, at the beginning of a war, to state definitely, what are the precise objects of the war, or what the precise situation in which it ought to desist from that war ; to do so would be truly impossible, because much must frequently depend, in point of prudence and propriety in that respect, upon contingencies during the prosecution of the war. His right honourable friend, however, having first assumed this as a fixed principle, having then assumed what were the avowed objects of the present war,— and having also assumed that these objects are attainable ;—he had, on all these assumptions, grounded this conclusion, that we are now only at war for *indemnification* ; but, denying, as he did, the premises, he could not possibly join in the conclusion. In this, or in any other war, he was ready to admit, that the state of the country was undoubtedly one consideration, and ought, in every thing regarding it, to make part of the calculation ; but he could, by no means, agree in the opinion, that the present state of this country, with respect to commercial credit particularly, had been occasioned by the war ; he certainly thought it had proceeded from causes distinct from the war. He would next ask, how did his right honourable

friend make out his position, that the objects of the war are now attainable by negotiation? were that, indeed, once admitted, no doubt could remain upon the subject; he must, however, deny, that the objects of the war can, in any shape, be said to be attained; for, without security, they cannot possibly be attained:—Being engaged in war, the object of this country must necessarily be, not merely to recover Holland, not merely to rescue Flanders, but also to guard them against similar dangers in future. His right honourable friend had spoke of *alarms* with some degree of ridicule; in his mind, there was a degree of confidence equally dangerous, if not much more so.—Differing, therefore, as he did, in many respects, from his right honourable friend, both as to the *mischief* that is now in the world, and as to the danger of its spreading over the world, it was impossible for him to agree, that the present distracted state of France furnished any security on which this country either could or ought to place reliance. With respect to what had been said of clamours for peace, perhaps some persons might be ready to join in such clamours, whose real objects were very different from their pretence, and who were by no means friendly to the Constitution of this country: but, be their motives what they may, he did not like to appeal to simple illiterate persons in great questions of state; not, from any want of consideration with respect to such persons, but because they are really incapable of forming a just opinion upon such questions, which are questions of judgment,—particularly, with regard to war; however clamorous such people may be from their distresses, this ought to have no weight in deciding as to the merits of the war. Nor are such persons liable to suffer only from the effects of war;—manufacturers, for instance, are liable to be thrown out of employment by the caprice of fashion. Besides, such people would prefer their own immediate interest to the future good either of this country or of the world. Mr. Windham said, that against such impressions he hoped that House would be guarded, and that they would act upon larger views, for the interest of this country, and of the rest of Europe:—for his part, feeling that we have now, as we had before, every thing at stake,—that, so far from being unsuccessful in the prosecution of the war, we have hitherto been prosperous,—and that those depredations with which our trade was at first

threatened, have passed away,—feeling also the difficulty of getting a combination of powers sufficient to attain the security aimed at, and the almost impossibility of again forming such combination, if once dissolved, he must consider an attempt, on our part, to make peace, under the present circumstances, as next to madness. Were he indeed to conjecture what must be the wish of those who not only approve French principles, but wish to see them introduced into this country, he would suppose it to be that this very motion should be adopted, which had been now brought forward by his right honourable friend. He had not certainly a doubt of the purity of his motives, but he was sure that nothing could have led his right honourable friend to make such a motion, except a total difference from him in opinion as to the great points upon which this question appeared to him to turn. He begged, however, to warn the House against allowing themselves to be so far led away, from a desire for peace, as to dissolve the present confederacy till it has fully attained the great objects for which it was formed.

Mr. JEKYLL said, that, with all his respect for the accuracy of expression of the right honourable gentleman who had just sat down, he confessed himself perfectly astonished to hear him call the making peace an act of insanity. The right honourable gentleman had asked, who the persons were who were clamorous for peace? To this he would answer, that they are those very persons who, five months ago, were very solicitous for war, and who now, feeling its calamitous effects, and finding the only proper objects of it attained, are become no less desirous of obtaining peace. He was much astonished also, that the right honourable gentleman should have said, that the objects of the war could not be defined at its commencement. Were they not, he would ask, security and indemnity? Should the right honourable gentleman deny this, instead of moving for the reward of the invention of a time-piece, he would have been himself the inventor of a perpetual motion; of which, as it was difficult to trace any just cause for its beginning, so it would be impossible to see any end of it. As to what had been insinuated by the right honourable gentleman, of disaffection in the desire of peace; if that be disaffection, he acknowledged himself to be a disaffected person: he gloried in such disaffection. In his opinion,

the objects of the war were not only attainable, but had been, in fact, attained — he meant in so far as this country is concerned. The sole objects of this country were security and indemnity; though very different were the views of all those with whom we have allied ourselves in carrying on the present war. Upon every consideration, the motion of his right honourable friend had his most hearty concurrence.

Mr. BURKE said, he was desirous, on so great an occasion, to give his clear and decided, though he hoped not a pertinacious and obstinate, opinion. He conceived it to involve a question which would decide for ever our connections with the Continent; a question whether we should make war with all the powers of Europe, in order to make peace with France. That House was called upon to send up an address to the Throne, containing a most bitter invective against three great powers of Europe; and what was to be the consequence? Did we mean to provoke them without an object? If so, it was an idle invective, without meaning. He would not enter into the business of Poland, though he had certainly formed his own opinion upon it; but he must say, that it was a womanish proceeding, at best, to rail, without doing more; and, if we do more, we are at war with all Europe. He must suppose, however, that the right honourable gentleman (Mr. Fox), whom he would suspect of any thing rather than of weak designs, does really propose the making an attack in order to restore Poland. On this subject of Poland, whatever were his sentiments, he would think it wise to hold his tongue; for was it possible for Great Britain to go to war with Austria, Russia, and Prussia, with all the great powers of Europe, with no ally but France? and what Government was there in France with which we could form an alliance? He remembered, in history, when Charles the Twelfth disposed of that country (Poland), and gave it another King; did we, on that, or on other similar occasions, call upon France to assist us in rescuing Poland? No. France, indeed, would have been sufficiently desirous of assisting us, but Great Britain and France could not then attempt it; the situation of Poland rendered any such attempt impacticable; for, with respect to us, it may be, in fact, considered as a country in the moon. But what is the line of conduct we are now desired to follow with respect to those



powers with whom we have hitherto acted in this war? Shall we begin to desert them in the first moment of our being called upon to attack? Shall we totally forget what they had done, and how they had fought for us in defence of Holland, in which we had so great an interest? The danger which then threatened Holland was formidable indeed, when attacked by M. Dumourier, no mean man, whom he was rather glad to see as a guest here in London. Of him and his 100,000 Sans Culottes the Austrians had cleared Holland, and, in doing so, had shed torrents of their blood. Shall we then now say that we are tired of the war, at the very instant when we have got a glimpse of hope, and before we have taken any one fortress. For his part, he reprobated such shameful perfidy. But when we shall have excommunicated ourselves from the whole band of European sovereigns, in order to treat with France, we can have no security whatever for the performance of any treaty on their part, which can be equal even to the constancy or consistency of a single individual. He did not deny the ambition of the sovereign powers of Europe; but the question, in his opinion, came to be, which was that power whose ambition was most likely to press on Great Britain? The partition of Poland might possibly be made so as not to destroy, or even to affect in any great degree, the balance of power in Europe. The King of Prussia had, indeed, taken Dantzick, and he was sorry for it; but had he taken the lives or the property of any individuals? He hoped it would not be conceived that he approved of this; but he must consider the different conduct of France, and oppose to it the detestable principles of their infamous decree of the 15th of December. He had not heard that, either in Poland or in Dantzick, any one clergyman had lost his living, or that any man had lost his life or property. The beginning of a war must always be the most expensive part; and yet, after having incurred all this enormous expence, we are now called upon to put an end to the war, before it has been possible to derive any fruits from it. On two former occasions the right honourable gentleman (Mr. Fox) had censured, in strong terms, the conduct of the right honourable the Chancellor of the Exchequer in making armaments, without doing any thing more; and shall we now desire him to do so a third time? The right honourable gen-

tleman had said, that if we wait till there shall be a settled Government in France, we may wait for ever : but, in direct contradiction to this, the right honourable gentleman himself has all along urged this proposition, that anarchy cannot last long, while despotism generally reigns for a considerable length of time. With whom, indeed, could we treat at present ? M. Le Brun, with whom so lately we were called on to treat, was now in jail, and might date his dispatches “ from my prison in the Abbaye, the first year of liberty ! ” We have him fast—that is one advantage.—Claviere, another Minister, was indeed not confined ; but then he was returned *non est inventus*. Or shall we treat with M. Egalité, who, the other day, promised himself to be Lieutenant General of the Crown of France, but who is now in the dungeon of Marseilles ? or with Roland ? Roland is in prison too ; but Mrs. Roland was said to act as Minister, and she too is in prison, whether along with her husband or separate from him he could not tell, and he did not know if our Ambassador could get access to her ; or if he did, whether her husband, being very uxorious, might not be very jealous ? Could he give a recommendation to his friend Marat, he was afraid such recommendation would not be much attended to ; but should he, in this state of confusion, go to that virtuous character, he would advise him to leave his watch behind him. But what were the principles upon which this negotiation were to be carried on ? He would shew out of the mouth of this very Brissot what the French at least thought on that subject. It was the Report of a Committee, of which he was the head, upon the subject of a treaty with Geneva, in which he affirmed, “ that treaties were useless, and could not bind the people who were to be united by principles alone ; and therefore to make treaties with any other sovereign power was disgraceful in a free people.” There was a secret in all Governments which might be termed the moving spring [and momentum to action ; and this we find in the French system to consist in a total disregard of all treaties. It had been said, shall we interfere for the purpose of obtruding on the French whatever form of government we shall think fitting for them ? He was of opinion, that no country could force a particular form of government upon another, but that all received such a

one as was under all the circumstances of the case most adapted to their situations. Governments were, in this instance, like individuals, no one had a right officiously to obtrude with his advice, or undertake the management of another's affairs; but if a man were guilty of the most indecent outrages, if he were to attempt to murder his wife, to starve his children, or to burn his habitation, shall we not interfere to prevent attacks upon our feelings and our safety? He remarked, that there was one grand sophistry that run through the whole of the right honourable gentleman's speeches, namely, that we made war on France, while *de facto* she made war upon us, and that too at a time when Dumourier was affecting to treat with us. He insisted that it was a travelling delusion, that nations were not to interfere with each other; for if any nation endeavoured to confuse, to trample upon, violate, or despise, the rights of others, the interests of human society required that all should join against them. If, by the subversion of all law and religion, a nation adopts a malignant spirit to produce anarchy and mischief in other countries, it is the right of nations to go to war with them. In support of this doctrine, he quoted the authority of Vattel, who lays it down, "that if one nation adopt principles maleficent to all government and order, such a nation is to be opposed from principles of common safety." This, he insisted, was the spirit of France; and what was to keep the effects of it from England? War, and nothing else. Until, therefore, we could find that security in their principles and practices which could alone make peace permanent, he would never agree to prostrate the Throne of Great Britain at the foot of any National Convention or Jacobin Club whatever. He then drew a picture of a British Ambassador making the *amende honorable* before the National Convention. To this end, he would have the first blood in the land sent, to make the *amende* more complete: there he should stand with a white sheet on, and a torch in his hand, all the ghastly regicides in rows about him, the President shaking the bloody head of Louis XVI., to make the *amende* more horrible; which being accomplished, Danton, with his bloody jaws, would give him a civic kiss in token of adoption. To such a ceremony he could never agree, and therefore he must resist the present motion.

Mr. Chancellor PITT said, after what has been already forcibly urged, I do not, in the present stage of the debate, conceive it necessary to speak to the merits of the question. The almost unanimous call of the House shews, that on that point they have already sufficiently made up their minds. But something has been alledged in the general grounds on which the motion is brought forward, and particular allusions have been made to me, which I cannot allow to pass over in silence. The motion has been introduced by the honourable gentleman on the eve of the end of the session, no doubt as a solemn expression of the sentiments entertained by him on the present state of affairs, and I should be sorry that my opinion on the present occasion should be at all equivocal. I do not then hesitate to declare this motion is in itself the most impolitic and preposterous which could possibly be adopted, the most contradictory to those general principles which at all times ought to regulate our conduct, and the most unsuitable to those particular circumstances in which we are now placed. Such is my opinion of the nature of this motion, which points out to us a line of conduct we can by no means pursue, namely, to make peace upon terms which even, if within our reach, we ought not to accept, but which, in fact, is only calculated to amuse and delude the people, by holding out to them a possibility of peace, when, in reality, peace is impossible, and thus serve to create groundless discontents and dissatisfaction with the present situation of affairs. Are we, I would ask, in pursuance of this motion, to be content with merely the French relinquishing those conquests which they have unjustly made without either obtaining reparations for the injuries they have already done us, or security against their future repetition. There might, indeed, be situations in which we might be compelled to adopt such a conduct. Against necessity there is no possibility of contending. But, indeed, it would be rather strange if we should do that at the beginning of a most successful war, which could only be adviseable at the conclusion of a most disastrous one. It would be a principle rather somewhat new, if, when unjustly attacked, and forced into a war, we should think proper to cease from all hostilities, as soon as the enemy should be unwilling to support their attack, and go on with the war. Had such been the case in any of the most favourite periods of

the history of this country, to which the honourable gentleman was so fond of alluding? Where could he find any such principle in any of those wars which this country had carried on in support of its independence? And if so, what was there in the peculiar situation of the French, the disturbers of the peace of Europe, and the unprovoked aggressors of this country, that should require any other measure to be dealt to them, than what we had been accustomed on former occasions to afford to our enemies. With a prospect of success so great as we had in the present moment, were we to grant them an impunity for all these designs which they had so unjustly formed and attempted to carry into execution? Would this tend in any degree to remedy the temporary inconvenience to this country, which the honourable gentleman has stated as resulting from the war, but which, in reality, is produced by collateral causes? In no case would the conduct here pointed out be expedient. But of all cases, where we ought not to stop merely because the enemy stops, is that where we had suffered an injury without having either obtained reparation or security. This I will illustrate by what is at present our situation. And first I will ask, what was the state of this country with respect to France, previous to the declaration of war on her part. We then contended, 1. That she had broke a treaty with our allies, which we were bound to support. 2. That she had engaged in schemes of ambition and aggrandizement, inconsistent with the interests of this country, and the general security of Europe. 3. That she had entertained principles hostile to all Governments, and more particularly to our own. In consequence of all these circumstances, you then declared in addresses to His Majesty, that if proper satisfaction was not obtained, a war must be the consequence. But while this was in agitation they had themselves declared war, and been guilty of a sudden and unprovoked aggression upon this country. Is then that aggression, the climax of all their injuries, to induce you to abandon those reasonable views of satisfaction which before you entertained. The necessity of security against those three points, their disregard of treaties, their projects of ambition, and their dangerous principles, certainly becomes greater, inasmuch as their injuries are increased by the aggression. The argument then for satisfaction, instead of

being diminished, derives greater strength from this last circumstance. Indeed if we were foiled, we might then be induced to abandon those views with which we had set out, to submit to the hardship of our fate, and to receive such terms as necessity might dictate. But those terms which the motion prescribed are not such as are to be aimed at in the first instance, but such as are only to be submitted to in the last extremity. The question then is, whether we shall now court calamity, whether we shall, after a most successful commencement, voluntarily submit to all the most direful consequences of failure and defeat? At present we have both right and interest on our side. Shall we abandon both? Shall we, with the means of doing ourselves justice, pass by the most repeated and aggravated injuries, and grant peace to those whose unprovoked aggression alone compelled us to arm in our own defence? The question resolves itself into this; Shall we, from a view of the present situation of the belligerent powers, risk more by vigorously persisting in the war till we have obtained its objects, or by abandoning it without either reparation or security? I shall only put the question, and leave it to you to decide.— Allow me only to subjoin a few remarks with reference to some points urged by the honourable gentleman who made the motion. We thought it necessary in the first instance, upon being attacked, to enter vigorously into the war. Did we not see the evils which we might expect to encounter in carrying it on? Were we insensible of those calamities with which every war is attended? Have these evils and calamities turned out to be greater than at first were expected and foreseen? On this point I shall not refer you to the inflamed exaggerations of the honourable gentleman, who predicted from the war, even in its commencement, every possible calamity, such as the most alarming discontents at home, the total stagnation of commerce, and interruption of public prosperity; and who represented that its infallible consequence must be not to check the schemes and repulse the progress of the enemy, but, on the contrary, to unite their views and concentrate their vigour. No—however justified I might be in taking this statement, I shall refer you only to the more moderate apprehensions of those who, though convinced of the necessity of the war were not insensible to its dreadful consequences. These apprehensions happily have been disappointed, and the very re-

verse of those calamities, which there was but too much reason to dread, has taken place. The war has been attended, even in its outset, with the most brilliant, rapid, and unexpected success. The views of the enemy have experienced a most effectual check, and every circumstance concurs to favour the hope of our being able completely to accomplish every object of the war. Was there any thing then in this situation to induce us to abandon our views of reparation and security?—Were we to give up our claims of satisfaction, merely because we had been beyond example successful in repelling an unjust attack? To urge this point, would indeed be wasting the time of the House. The only question that remained was, at what period, and from what situation of affairs, we were to obtain that reparation and security which we desired? How long were we to wait for these objects? Were we to place them upon circumstances which might never happen, and thus pursue them without any possibility of attaining our end, which might be the case if we looked to the establishment of any particular Government in France? The answer to these questions, like the degree of security and reparation to be obtained, depended upon circumstances of comparison. I declare, that on the part of this Government there was no intention, if the country had not been attacked, to interfere in the internal affairs of France. This was clearly proved by the system of neutrality, on our part, so strictly observed. But having been attacked, I affirm, that there is nothing, either in the addresses to His Majesty or the declarations of his servants, which pledges us not to take advantage of any interference in the internal affairs of France that may be necessary. I, for my own part, repeat, that I have given no such pledge. I do not say that if, without any interference, sufficient security and reparation could be had for this country, I would not, in that case, be of opinion that we ought to abstain from all interference, and allow their Government to remain even upon its present footing. But I consider the question of obtaining these, while the same principle that now prevails, continues to actuate their Government, to be extremely difficult, I will not say altogether impossible. But I should certainly think, that the best security we could obtain, would be in the end of that wild ungoverned system, from which have resulted

those injuries against which it is necessary to guard. There are, however, degrees and proportions of security which may be obtained, and with which we ought to rest satisfied; but these must depend upon the circumstances that shall afterwards arise, and cannot be ascertained by any previous definition. But when you have seen yourselves and all Europe attacked—when you have seen a system established, violating all treaties, disregarding all obligations, and, under the name of the rights of Man, uniting the principles of usurpation abroad, tyranny and confusion at home—you will judge whether you ought to sit down without some security against the consequences of such a system being again brought into action. And this security, it appears to me, can only be obtained in one of three modes—1st, That these principles shall no longer predominate; or 2dly, That those who are now engaged in them shall be taught that they are impracticable, and convinced of their own want of power to carry them into execution; or 3dly, That the issue of the present war shall be such, as by weakening their power of attack shall strengthen your power of resistance. Without these, you may indeed have an armed truce, a temporary suspension of hostilities; but no permanent peace; no solid security to guard you against the repetition of injury and the renewal of attack. If on these points we have made up our minds, if we are determined to prosecute the war till we shall obtain proper satisfaction, and at least be able to provide some security for the continuance of peace, the present motion can only tend to fetter the operations of war, to delude our subjects, to gratify the factious, to inflame the discontented, to discourage our allies, to strengthen our enemies. What could be the effect of any negotiation for peace in the present moment? It is not merely to the character of Marat, with whom we would have to treat, that I object; it is not to the horror of those crimes which have stained their Legislators, crimes in every stage rising above another in point of enormity; but I object to the consequences of that character, to the effect of those crimes. They are such as render negotiation useless, and must entirely deprive of stability any peace which could be concluded in such circumstances. Where is our security for the performance of a treaty, where we have neither the good faith of a nation, nor the responsibility of a Monarch. The moment that the mob of



Paris becomes under the influence of a new leader, mature deliberations are reversed, the most solemn engagements are retracted, or free will is altogether controlled by force. In every one of the stages of their repeated revolutions we have said, "Now we have seen the worst, the measure of iniquity is complete, we shall no longer be shocked or astonished by the contemplation of added crimes and increasing enormities." The next mail gave us reason to reproach ourselves with our credulity, and by presenting us with fresh crimes and enormities still more dreadful, excited impressions of new astonishment and accumulated horror. All the crimes which disgrace history have occurred in one country, in a space so short, and with circumstances so highly aggravated, as outrun thought and exceed imagination. Should we treat with Marat, before we had finished the negotiation he might again have descended to the dregs of the people from whom he sprung, and have given place to a still more desperate villain. A band of leaders had swayed the mob in constant succession, all resembling in guilt, but rising above one another in point of enormity, each striving to improve upon the crime of his predecessor, and swell the black catalogue with new modes and higher gradations of wickedness—

*Ætas Parentum pejor avis tulit*

*Nos nequiores, mox daturos*

*Pregeniū vitiosorem.*

No treaty can exist on their good faith independent of the terms of peace. Could they be bound by engagements more solemn than those to which they had pledged themselves in return for our neutrality? What new engagements can be more binding, or from what part of the character of the leaders, or what change in the principles of action, can we expect greater good faith, or stricter attention to engagements, than were exhibited by their predecessors? To make a treaty with them would only be to afford them an opportunity of breaking it off before it was finished, or violating it in its very commencement. But if the motion can answer no good purpose, can it answer no bad one? Might it not serve to encourage the French? What the honourable gentleman reserved as the last part of his argument, seemed particularly to have this tendency, the conclusion which he drew of the necessity of a peace from the situation of the coun-

try. If we are really come to that period of distress and embarrassment, that peace upon such terms is necessary, we must indeed submit to the decrees of Providence with such resignation as we would submit to the sacrifice of our independence. If the period of our ruin is come, we must prepare to meet the fate which we cannot avert; we cannot meet it in any shape more dreadful than that which is proposed by the motion of the honourable gentleman. But our situation is not yet so desperate. With respect to the embarrassment of credit, and the consequent interruption of commerce, I may safely say, that none have watched it more carefully than myself, none can have felt it more anxiously. The honourable gentleman states the means of relief, which have been adopted by the Legislature, as, in his opinion, a proof of the extent of the calamity. For my part, I have formed a very different conclusion. The effect of the relief held out by the Legislature, even before it was experienced, was completely to restore confidence and vigour to commerce—a proof that the embarrassed state of credit was only temporary, and, in a great measure, accidental. It clearly was not the effect of the war in which this country was engaged, but was influenced by the state of the Continent, where the war had previously subsisted, and where it had taken away the market for our commodities. This embarrassment then could only be ascribed to that cause which had produced so many other calamities—that destroying spirit on the Continent, which devours not only the fruits, but the seeds of industry—which overturns the very altar of society, and lets loose upon the world all the horrors of anarchy and desolation!—The question then is, whether we shall persevere in those exertions, by which we may at least remove this inconvenience, while, in co-operation with our allies, we strive to remove its cause—a cause which, if not checked, might have led to distress and ruin? The present motion, by magnifying the inconvenience which we have sustained into a calamity, is calculated to give a false impression, and give to what at most could only be the object of apprehension at home, all the mischievous consequences of a real distress abroad. It is calculated to discourage our allies, and inspire our enemies with confidence.—Having thus given my opinion as a Member of Parliament, there are some allusions which have been made to me, as a Member of the Cabinet, which I am called upon to notice. I

have only to say, that if ever that honourable gentleman should be a Member of the Cabinet, I trust that he will be better informed of the proceedings of the councils of other nations, than at present he seems to be with what every man would desire to have some acquaintance with, those of his own. He stated, that he brought forward his motion with a view of giving support to certain opinions which he understood to be entertained in the Cabinet respecting the war. If he brought forward his motion from any motive of personal kindness to me, I have only to request that he will withdraw it. Not having lately been much in the habit of reading newspapers, I could not easily conceive to whom the honourable gentleman alluded. Indeed, there is no proposition which I could deem so impolitic to be brought forward by any of His Majesty's servants as the present motion. If there is any difference in opinion between me and the other Members of the Cabinet, I can only assure him, that I am the most determined to oppose the grounds and principles upon which that motion is founded. The question then is, whether, in conjunction with our allies, with whom our own prosperity is so ultimately connected, and with those prospects of success which our situation affords, we shall persevere vigorously to oppose those destructive principles with which, even though baffled at present, we may expect to contend to the latest hours of our lives? and on this issue I allow it to rest. I have spoke at much greater length than at first I intended; but on this subject, whenever it occurs, I find it impossible to keep those bounds which I had prescribed to myself, prompted as I am to enlarge by the dearest feelings and principles of my heart, affection and gratitude to my Sovereign, and that duty which I owe as a member of the community.

Mr. HUSSEY said, that having seconded the motion, he begged leave, in a few words, to state his reasons. He admitted that it was difficult to make peace at present, but was that the thing most difficult? What was now become of all that surplus of revenue which the Chancellor of the Exchequer had formerly stated as sufficient for the expences of the war, without new taxes? Where were now the weekly accounts of increasing revenue? Was he sure that he could carry on the war for one year more, without great additional taxes, or

that he could make such taxes productive? The manufacturers, it was said, were not to be consulted on war or peace, but let gentlemen recollect, that consulted or not, the manufacturers must pay the bill; and let it also be considered, how far they were able to bear more than was already laid upon them. He supported the motion, as tending to prevent all those evils from French principles, which the Chancellor of the Exchequer so much dreaded, and which, in his opinion, war only could produce. And he must ask him again, for his own satisfaction, and that of his constituents, whether he himself did not tremble for the effects of the war on our finances and public credit? What the successes of this war had been, he could not see, or that we were a bit nearer the object now professed, than when the war began.

Mr. Chancellor PITT said, he could not flatter himself that the war could be carried on another year without fresh taxes. The revenue for the last quarter was certainly less than for the corresponding quarter of the year preceding; but the difference was not greater than had occurred in years where there was no falling off on the whole. The stagnation of our trade was owing only to temporary causes, which were daily ceasing to operate, and would be less and less every year, in proportion to the progress of our arms. He was sanguine in his hopes of the produce of the Revenue, because, that in all former wars, while we had a superiority at sea, our trade had increased.

Mr. WHARTON said, that he thought the Minister ought to be seriously alarmed at the continuation of the war, if he considered the deficiency of the revenue, or the declining state of our commerce and manufactures:—he was convinced, from an attentive consideration of both, that the country was unequal to support a war; but, that if others were not of that opinion, and that war was to be persevered in, he thought the conduct of it should be committed to persons more attentive to the state of our finance than the present Minister, whose inattention or incompetence must appear from this,—that he had in seven years of peace, from 1783, added thirty-seven millions to the national debt. It appeared from the Appendix to the 11th Report of the Commissioners of Public Accounts, presented to the House in 1784, that about the latter end of

1783 (when Mr. Pitt came in) the unfunded debt was a little above eighteen million; before the commencement of the present war it was admitted to be about thirteen millions.—In seven years, from 1783, taxes to the amount of above two millions annually had been laid on the people, which, at the present price of stocks, would require fifty-two millions to redeem; from which sum if you deduct the difference between the unfunded debts, and the sum said to be paid off by the Commissioners for liquidating the national debt, which was ten millions, the remainder thirty-seven millions have been added by the Minister to the sum of the national debt during seven years of peace and unexampled prosperity.—He said, that, in cases like the present, he thought it the duty of Members of that House to furnish the House with such documents, to prove the decline of manufacture and distress of manufacturers; as they might be able to vouch the authenticity of:—He should read to the House some papers he held in his hand to prove both:—he then read some letters to shew the distress of persons in the silk manufacture, in the Metropolis and in Nottingham, where it was so great, that poor rates were doubled, and one thousand persons had been obliged to emigrate, and those who remained had not one fourth of their usual work or wages. In Manchester the effects of the war had been felt by a total stagnation of credit so early as the beginning of April, when public meetings were held, and means devised to obviate it, which had totally failed of success; and so great was the distress then, that within the last two months 13500 men had enlisted from that town and neighbourhood; and though subscriptions had been liberally entered into for the relief of the poor members who were actually starving, and work was now done at 9d per pound, which had used to be done for 2s 8d per pound.—From these and many other melancholy facts, he thought himself bound to oppose the war; and trusted other gentlemen would suffer the vote they should that night give to be influenced by the consideration of such similar facts as must have come to their knowledge.

Mr. FOX confessed himself unable to resist the opportunity of troubling the House for a short time, even at that hour of the night, for the purpose of replying to some of the principal

arguments that had been urged against his motion. If any argument against attempting to make peace was to be drawn from a supposed kind of tacit engagement of gratitude to the Emperor for his assistance in saving Holland, there could be no end of the war. He should state to the people of England, and especially that part who could not judge for themselves, and were consequently most liable to be deceived, the truth on that subject. Was it meant in plain words that we were not to make peace till all the objects which the Emperor might propose, should be fulfilled? If that was the fact, he wished in God's name to know, if we could be informed, what those objects were? Were they just? were they honourable? were they to the advantage of this country?—No! they were secret; and we were to spend our treasure and our blood to support that Prince, to rob the Elector of Bavaria of his territories. The Emperor had made no renunciation of all his objects; and since this Court was to be drawn in to co-operate with whatever might be his views against France, it was a mockery in the King's Ministers to disclaim intentions which they meant to carry into effect indirectly and circuitiously, if not openly, in favour of the Emperor. With regard to the manufacturers of this country, he did not deny, that they might be incompetent judges on the present question; but, if they could not judge on the propriety of continuing the war, they must absolutely pay for its continuance. Then let us give them reasons for the measure; let us not delude them.—But could that be done? No! for so far from being able to tell them what those objects were, the House had not inquired into them themselves. An honourable gentleman had declared that the language which he had used that day ought not to be held unless it were to be followed by the drawing of the sword. After the language which that honourable gentleman had himself applied to France, at a time when we were boasting of our neutrality, he confessed, he did not expect such a reproach from that quarter. That honourable gentleman had spoken of Mr. Brissot in a manner not very creditable to himself. He had judged of him from the writings of his enemies; which was as unfair a test of his character, as it would be if any one were to judge of that honourable gentleman's character from what had been written against him by Mr. Hastings's friends.

As to the character of the people now holding the government of France, if that were to be urged as a reason for continuing the war, while they should continue in power, was this more or less than proclaiming that, so long as those men remained in power, we would continue the war to punish ourselves, and not them for their crimes and enormities. This declaration, however, was much fairer than the argument of the right honourable the Chancellor of the Exchequer. He had asserted, that if we could obtain reparation and security, the form of Government in France would be no objection to our making peace, and, in his opinion, he had spoken well. But he had afterwards dwelt on the difficulty of expecting so favourable a circumstance. For his own part, he thought it much better to say like the first honourable gentleman, that we must always wage war against such a power, than like the right honourable gentleman alluded to, who said that the existence of the power in France would be no objection to peace, if peace could be properly attained, but afterwards insinuated the impossibility of its attainment. If he understood the right honourable gentleman aright, there were three species of security on which he might rely. The first was a change of power in France. Was that our object? If so, we were at war with France for the purpose of giving her a Constitution. The second species of security was to arise from the persons in France still entertaining the same principles, but convinced by the chastisement they might suffer of the inefficacy of attempting to carry them into execution: but if our arms should prove victorious, as a supposition of that security implied, would a people who had thus severely suffered be thus easily convinced? The third consisted in a relinquishment of a part of their dominions; and if such were the object, had we not already obtained that species of security? If it were said that we must possess Normandy and Brittany, let Ministers say so; and extravagant as the declaration might appear, it would be intelligible. It had been asked by the right honourable gentleman, were we to stop, because they had stopped, when France, by stopping, had only ceased to do us an injury? and ought we not to chastise them for that injury? Yes! We ought to do both. We had chastised them, and therefore we ought to stop, because they had

stopped. We had gained that species of indemnity which the right honourable gentleman wished, by the capture of some of her West-India islands. Did that right honourable gentleman desire to prosecute the war farther, merely that he might be the tool to serve the unjust purposes of some German prince? In the course of his whole argument he had talked as if this country was suing for peace. This was weak. Was it suing for peace, when the proposition had first come from the enemy? With our miraculous successes and armies, the right honourable gentleman considered a proposition of that kind as having the appearance of suing for peace; but, under such circumstances, would it not appear more like making an offer to grant it? It would be manly, and not mean; not base, but magnanimous. An honourable friend, Mr. Fox remarked, (Mr. Windham) had asserted, that, asking for the object of a war, previous to its commencement, was a new principle. He begged leave to give that position (and he was sure his honourable friend understood him to be speaking logically, not personally) the flattest contradiction. Whenever war was commenced, it had been usual to state some object on which that war was to depend. Was a dislike to the doctrine of the rights of men to be pushed so far, that the people were to be denied the right of knowing why they were to suffer the expences and distresses of war? One right honourable gentleman had said, that to make peace with France would be to make war with our allies; but would not the example of overtures for peace from Great Britain be rather likely to produce a general peace on the Continent? The Chancellor of the Exchequer had said, that our distresses were but temporary: he hoped so too. He believed he had likewise said, that they were only imaginary: he (Mr. Fox) did not wish to give his word where it might not be taken; but if he should like to pledge his veracity to any fact, it would be to the direct contrary. That right honourable gentleman had called his speech at the commencement of the war a desponding one. He, however, did not think it was, under the existing circumstances. As to the principles of the French Revolution, his opinion remained exactly what he had before stated, though he saw and detested their present scandalous perversion. The extreme, however, of their principles in favour of democracy



were not worse than the species of principles which he had heard urged in favour of royalty. He thought that of all the arguments, however, that had been urged against royalty, none was more erroneous than that most popular one which rested on its expence. The expence of royalty itself was paltry, and not worth the attention of a great nation; but if the public were to be involved in the expences of a war for the purpose of establishing royalty in another nation, it was enough to render them disgusted with royalty, and would give the utmost force to the revolutionary arguments on that subject. If there were persons among us who wished for the establishment of revolutionary principles in this country, he believed their numbers to be very few; to no description of men could his proposition be so odious as to men composing a party of that kind. It was a proposition abhorrent to their interests, and would inevitably crush them. It was only by war that such people and such principles could thrive. On the question of an interference in the internal concerns of France, he should freely declare his opinion. He thought that such an interference ought not to be the object of this country; but that if it were necessary as a means of obtaining our object, it ought not to be disclaimed. As to what he had said concerning a difference in the Cabinet, he had spoken from the information of the right honourable gentleman's friends, in the newspapers, on the subject; and they had adopted a new mode of serving him by circulating such false reports. On the Cabinet he, for his part, could expect to have no influence; but if what he could say on the part of the public ever had any influence, he hoped it would at this moment. He had now done his duty: he had attempted to check the torrent of that calamity which the present war too fatally produced, and he should persist in, and take the sense of the House on the subject of, his motion.

Mr. Chancellor PITT rose to explain, that the right honourable gentleman appeared to have misunderstood him when he spoke of his having asserted the distresses of this country to be imaginary.

Mr. BURKE complained that, whether owing to any misconception or not, he had been misrepresented by the right honourable gentleman. He particularly dwelt on that passage

of the right honourable gentleman's speech in which he noticed what had fallen from him, relative to the declaration of war with the allies, being implied or induced, by our making peace with France. If the right honourable gentleman meant to censure him for what he had said of M. Brissot relative to the subject of his opinion of treaties, he could inform that right honourable gentleman that he had not been regulated by what professed enemies had said of that character, but relied upon and quoted the very sentiments of M. Brissot himself.

Mr. W. SMITH rose, and spoke in favour of the motion, contending, that so far from operating as a provocation to the allied powers, in a manner dangerous to Great Britain, it appeared to him calculated to have the best effect, and to tend to restore peace again to Europe. He enumerated the distresses of the manufacturers of this country, which he asserted to have been produced by the war, and to have every appearance of being rendered progressive by its continuance. Having dwelt upon this topic, Mr. Smith lamented the savage enormities which had taken place in France, and particularly the murder of the unfortunate Louis XVI., but said that even modern history could afford proofs of equal indignity, and equal cruelty offered to crowned heads by those of the same rank—acts which were no less criminal and detestable in themselves, though, from habits of thinking, very prevalent in society, not regarded with that abhorrence which they would have excited if committed by those whom persons of royal dignity were apt to look down upon as the vulgar herd, unworthy of sympathy or attention. A right honourable gentleman (Mr. Burke) might talk of the lenity shewn by the partitioning powers to the natives of Poland; but the fact was, that their particular conduct towards individuals was equally infamous with their general conduct in the partition of that unhappy country. They had indeed equalled the violent injustice of the proceedings of the National Convention of France, by arbitrary decrees, banishment, and confiscation.

Mr. DRAKE opposed the motion, and observed, that to make peace with France would be to declare enmity with every power in Europe. He believed, and he could answer for his own feelings, that all the Members of that House, all to a man, wished for a speedy and honourable peace. But for

us, at this moment, to make peace with France would be to declare a war against virtue. He would not, however, dwell on a subject which he had heard discussed with such ability by a Member who did honour to the city of which he was the loyal representative—a city which of all cities he dearly loved, as he also dearly loved every man who was loyal, every man who belonged to it.

Sir WILLIAM DOLBEN objected to the motion, on the ground of its being premature. It entered upon the business of treaties, which belonged exclusively to His Majesty, and which could not become proper objects of the sentiments, either of approbation or disapprobation, of that House, till they were finally concluded.

The House then divided, and there appeared

For the motion, 47; Against it, 187.

The House adjourned.

*Wednesday, 19th June.*

Mr. ROSE moved, “That a new writ be issued for the borough of Newtown, in the county of Southampton, in the room of Sir Richard Worley, Bart. who had accepted of the Stewardship of the Chiltern Hundreds.

“Another new writ for the borough of Whitchurch, in the room of the honourable John Thomas Townshend, now one of the Lords of the Treasury.

“Another for the borough of Luggershal, in the room of S. Smith, Esq. deceased.

“Another for the borough of Cockermouth, in the room of John Anstruther, Esq. now Justice for Merioneth and Carnarvon, in North Wales.

“Another for the borough of Liskard, in the room of Edward James Elliot, Esq. who had accepted of the office of one of the Commissioners for the affairs of India, with a salary.

“Another for the city of Edinburgh, in the room of the right honourable Henry Dundas, who had accepted of the office of one of the Commissioners for the affairs of India, with a salary.

“Another for Rye, in the room of the honourable R. B. Jenkinson, also one of the Commissioners for the affairs of India, with a salary.” Adjourned to

*Friday, 21st June.*

Mr. ROSE moved, "That the Speaker do issue his writs for the election of Members to serve in Parliament for the boroughs of Marlborough, Great Bedwin, and Shaftesbury.

Mr. WIGLEY gave notice, that early in the next session he would bring forward a motion for the purpose of taking the sense of the House on the propriety of proceeding, from day to day, in the trial of Warren Hastings, Esq.

Lord WILLIAM RUSSELL begged to call the attention of the House to a subject of the most serious importance. Gentlemen would recollect, that an act had passed in the last session of Parliament, enabling His Majesty to appoint a certain number of new Justices of the Peace, with fixed salaries. By that act, three Justices were invested with powers, which were certainly of a strong and unprecedented nature; for they were authorised to apprehend and commit persons who had not been accused of any specific crime or offence, merely on account of their being of a suspicious character; and this measure had been vindicated, as being necessary for the prevention of crimes and for the safety of the inhabitants of this great city. That it had not, in fact, produced any such effects, was too clearly evidenced by recent occurrences; he therefore hoped that some honourable gentleman, qualified for such a task, would bring forward a bill early in the next session of Parliament, for making such alterations and amendments on the act alluded to, as might make it really productive of the advantages to the Public which had been promised from it; if not, he meant now to give notice, that he would himself make a motion simply to repeal that act.

Mr. VYNER said, that the subject mentioned by the noble Lord was of such high importance, that he was surprised to find no kind of explanation or answer given from the other side of the House. This he would have expected to have been done, particularly by some gentlemen of the long robe.

The SOLICITOR GENERAL did not conceive, that what had fallen from the noble Lord called for any reply from him. The noble Lord's observations were founded on facts, as to which he had no accurate information, and he had only

learned by hearsay that certain enormities had lately been committed, which certainly were much to be regretted.

Mr. BURKE said, there was no doubt that the subject mentioned by the noble Lord was of the most serious consequence. The most daring outrages and depredations had lately been committed in the city; but he did by no means believe that they had been owing to any remissness in the Magistrates; he rather thought they were to be attributed to another cause, viz. the want of a proper way of disposing of convicts after the period of their punishment had elapsed. [We understood that Mr. Burke here alluded to a number of convicts having been lately discharged from the hulks on the river.] The danger was, in this view, alarming indeed; and he was in hopes, that till there was an opportunity for the interference of the Legislature, the executive Power and the Magistrates would take upon themselves to adopt such measures as they should consider as essentially requisite for the public safety, although, perhaps, not strictly warranted by law, trusting to an act of indemnity.

Lord WILLIAM RUSSELL explained, that he had not the least intention of imputing any blame to the acting Magistrates.

Sir FRANCIS MOLINEUX, Usher of the Black Rod, being introduced at the bar, acquainted the Speaker that the King commanded the House to attend His Majesty immediately in the House of Peers.

Accordingly Mr. Speaker, with the House, went up to attend His Majesty; where His Majesty was pleased to give the Royal assent to several public and private bills.

After which, His Majesty was pleased to make a most gracious speech from the throne, to both Houses of Parliament, as followeth, viz.

My Lords, and Gentlemen,

*THE firmness, wisdom, and public spirit, by which your conduct has been eminently distinguished on the many important occasions which have arisen during the present session, demand my peculiar acknowledgements.*

*Your firm determination to support the established Constitution, and the zealous and general concurrence in that sentiment, which my subjects have so strongly and seasonably manifested, could not*

*fail to check every attempt to disturb the internal repose of these kingdoms; and you will, I doubt not, in your several counties, encourage the continuance of the same vigilant attention to that important object.*

*The rapid and signal successes which, in an early period of the campaign, have attended the operations of the combined armies; the respectable and powerful force which you have enabled me to employ by sea and land; and the measures which I have concerted with other powers for the effectual prosecution of the war, afford the best prospect of a happy issue to the important contest in which we are engaged: It is only by perseverance in vigorous exertions, and by endeavouring to improve the advantages already acquired, that we can hope to obtain the great end to which my views are uniformly directed, the restoration of peace on such terms as may be consistent with our permanent security, and with the general tranquillity of Europe.*

Gentlemen of the House of Commons,

*I return you my particular thanks for the cheerfulness and dispatch with which you have granted the necessary supplies; and I am happy to reflect, that you have been enabled liberally to provide for the exigencies of the public service in a manner so little burdensome to my people.*

My Lords, and Gentlemen,

*The arrangements which you have formed for the Government of the British territories in India, and for the regulation of our commerce with that part of the world, will, I doubt not, secure and augment the important benefits which we have already derived from those valuable possessions. It has been impossible for me to see, without concern, the embarrassment which has lately arisen in the state of commercial credit; but the steps which you have taken to prevent the progress of that evil appear already to have been productive of very salutary consequences; and while they have afforded a striking instance of your attention to the interests of my people, their effect has furnished additional reason to believe that the distress, which has been felt, proceeded from a concurrence of temporary causes, and not from any diminution of the real wealth, or any failure in the permanent resources of the country.*

*I have much satisfaction in reflecting on the effectual protection which I have been enabled to afford to the trade of my subjects*

*since the breaking out of the war; I am at the same time persuaded that, if our commercial interests had unavoidably been affected to a more considerable extent, it would not have been forgotten that we are contending for our future security, and for the permanent preservation of advantages, the most striking and the most valuable, which any nation has ever, by the blessing of Providence, been permitted to enjoy.*

And afterwards the Lord Chancellor, by His Majesty's command, said,

My Lords, and Gentlemen,

*It is His Majesty's Royal will and pleasure, that this Parliament be prorogued to Tuesday the 13th day of August next, to be then here holden; and this Parliament is accordingly prorogued to Tuesday the 13th day of August next.*

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*The Papers in the following Appendix, were laid on the table of the House, for the perusal of the Members.*

## A P P E N D I X

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The SELECT COMMITTEE, appointed to take into Consideration the present State of COMMERCIAL CREDIT, and to report their Opinion and Observations thereupon to the House,

**H**AVE thought it incumbent on them, in proceeding to execute the orders of the House, to direct their attention to three principal points :

First—Whether the difficulties at present experienced, or the probability of their continuance and increase, are of such urgent importance to the public interest, as to require the interpolation of the Legislature.

Secondly—On the supposition that such interpolation should be deemed necessary, what is the most practicable and effectual plan which can be adopted for giving relief.

Thirdly — What means can be suggested for preventing the renewal of similar inconveniences.

The consideration of the first and second head appeared, in some measure, blended together ; and the third, though of great importance, appearing to be less urgent in point of time, your Committee have thought it proper to submit to the House such considerations as occurred to them upon the two first points ; reserving the latter for a separate report.

Under the first of these heads, the notoriety of failures to a considerable extent, the general embarrassment and apprehension which has ensued, a consideration of the necessary connection between different mercantile houses and their dependance on each other, and the influence which the state of commercial credit must have upon the trade, the revenue, and general interests of the country, appeared sufficient, without minute examination, to satisfy your Committee, that the present situation strongly called for an immediate and effectual remedy, if any practicable plan could be suggested for that purpose.

In addition to this, the Committee had an opportunity of collecting, from several of their own members, information grounded either on their general observation upon the subject, or on their own immediate and personal knowledge.

Your Committee, understanding that some suggestions on this subject had been laid before the Chancellor of the Exchequer, on the part of several persons of great eminence and respectability in the city of London, were of opinion that a communication of these suggestions would be very material to the objects of their inquiry, with a view of ascertaining the opinion of persons of this description, both with respect to the necessity of some remedy, and to the particular mode in which it might be applied.



The Chancellor of the Exchequer accordingly laid before the Committee a paper which had been delivered to him on the 23d instant, by the Lord Mayor and Mr. Bosanquet; which is inserted in the appendix to this report. He also stated to the Committee, the circumstances which had led to this paper being drawn up: That he had received representations from many different quarters, which induced him to believe, that the failures which had taken place, had begun by a run on those houses who had issued circulating paper, without being possessed of sufficient capital; but that the consequences had soon extended themselves so far as to affect many houses of great solidity, and possessed of funds ultimately much more than sufficient to answer all demands upon them; but which had not the means of converting those funds into money, or negotiable securities, in time to meet the pressure of the moment.—That the sudden discredit of a considerable quantity of paper, which had been issued by different banks, in itself produced a deficiency of the circulating medium, which in the ordinary course of things could not be immediately replaced; and that this deficiency occasioned material inconvenience in mercantile transactions.—That in addition to this immediate effect, these circumstances also were represented to have induced bankers and others to keep in their hands a greater quantity of money than they thought necessary in the usual train of business, and that large sums were thus kept out of circulation, and great difficulty arose in procuring the usual advances on bills of exchange, particularly those of a long date.—That many persons were said to be possessed of large stocks of goods which they could not at present dispose of, and on the credit of which they could not raise money.—That this occasioned an interruption of the usual orders to manufacturers; which circumstance, together with the interruption of the means by which they were enabled to make their weekly payments, tended to prevent the employment of a number of persons engaged in different manufactures.—That these evils were represented as likely rapidly to increase in a very serious extent, if some extraordinary means were not adopted to restore credit and circulation.—That in consequence of these representations, he had desired a meeting of different gentlemen, in order to obtain the best information in his power, respecting the extent of the evil, and the possibility and propriety of any measure to remedy it.—That after much discussion, all the gentlemen present seemed to agree in a very strong opinion of the extent of the evil, though many objections at first occurred to any plan for remedying it.—That in the result, it was agreed to desire the gentlemen, whose names were mentioned in the paper now delivered, to meet the next day at the Mansion House, to consider more particularly the proposal for the issue of Exchequer bills, to a certain amount, to be advanced under proper regulations, for the accommodation of such persons as might apply for the same, and likewise the objections to which such a proposal might be liable.—And that the paper which he had laid before the Committee, contained the opinion of the second meeting.

The Chancellor of the Exchequer also gave an account to the Committee of an application that had come within his knowledge for the accommodation and support of a house connected with a very important manufacturing district. That the sum wanted for the support and accommodation of this House was comparatively small,

and the security proposed, as he had understood from very good authority, was admitted to be unquestionable; but that the application had hitherto been ineffectual.

The Lord Mayor informed the Committee, that, in conformity to the statement mentioned by the Chancellor of the Exchequer, eleven gentlemen met at the Mansion House on the 23d, selected principally from that part of the preceding meeting, who had expressed the greatest difficulties in finding out a remedy; and, after a long discussion upon the subject, they unanimously were of opinion, that the interposition of Parliament was necessary; and that an issue of Exchequer bills, under certain regulations and stipulations, was the best practicable remedy.

Your Committee also received information from Mr. Thornton, Mr. Alderman Anderson, and Mr. Chiswell, Members of this Committee, with respect to instances which had fallen under their personal observation, to the following effect:

Mr. Thornton represented, that he was at this time acquainted with the situation of five or six mercantile houses, who were in the possession of large quantities of goods, the produce of which would give them effectual relief; but that owing to the stagnation of trade, and the impossibility of converting these goods into money, the houses in question were under very great apprehension of being shortly obliged to stop payment.

He informed the Committee, that he was lately appointed a trustee for liquidating the concerns of a house in London, with extensive connections in the country, that had been obliged to suspend its payments. That after the intervention of about three weeks, it had been enabled to pay its acceptances, and within twelve months would discharge all its debts; and that the partners had a reasonable expectation of retaining a surplus of 100,000*l*. And if they had had the opportunity of raising only a moderate sum of money on the securities which they held, the calamity that befel them, and their connections, might have been averted.

Mr. Alderman Anderson informed the Committee, that it had fallen under his own personal knowledge, that seven mercantile houses, of known and undoubted property, and with a large quantity of goods on hand, now not saleable, are brought to very great distress from the scarcity of money, and will not be able to make good their payments, if not assisted; which would prove of very serious consequence to many other merchants and manufacturers, to whom they stand indebted.

Mr. Chiswell stated, that the present mercantile distress arose from an alarming stagnation of credit, which on his knowledge had reduced eight houses of known and large property to stop their payments. That he also knew others of the same description, who have had temporary assistance from him and others, but which will be ineffectual, if they are not farther relieved in a short time. He also stated, that various applications had been made to him from different houses of undoubted and very considerable capitals, which in ordinary times, or even in times of pressure, he would have assisted; and that he is now only withheld by the uncertainty to what extent the mischief may increase from the present unexampled general alarm and want of credit. He also farther stated, that if those houses were not assisted, the consequence would be, the immediate

failure of many others of good credit and fortune dependant on them.

Your Committee understanding that Mr. Gilbert Innes, a director of the Royal Bank of Scotland, was at present in London, desired his attendance, and received information from him to the following effect.

That as a director of the Royal Bank of Scotland, he has had many occasions to judge of the present state of commercial credit in Scotland.

That the country is in very great distress; and the two chartered Banks will not be able much longer, with prudence to themselves, to furnish the accommodation and support necessary to different mercantile and manufacturing houses, nor to the country banks; and if something is not immediately done by Government, a very general failure may be expected; and that many houses with undoubted effects, and who would ultimately pay all demands against them, will be involved, unless they can obtain a temporary relief.

There have been several failures, and a very considerable one lately, which is connected with manufacturers who may ultimately be involved, and where seven or eight hundred persons are now employed.

The effect of these failures, in his opinion, must occasion many manufacturers to be thrown out of employment, and he has heard some were already dismissed; and such is the pressure of the times, that the distress, if not ruin, of several principal manufacturing houses may ensue. Many manufacturers would have been dismissed, but for the liberal support their employers have received from the Royal Bank; but that assistance cannot, without imprudence, be continued without extraordinary aid.

This prospect of distress to the manufacturers, in his opinion, arises, not so much from a failure of the usual markets for the goods, as from the difficulty in discounting in London and in Scotland, the long dated bills received for the goods.

Great quantities of manufactured goods belonging to manufacturers in Scotland are now in London, for which, when sold, bills are granted for a small part at three months, and the remainder from six to fourteen months, the greatest part of which goods have been formerly sold for long-dated bills, but are not so now from the difficulty of obtaining discounts; and he has heard manufacturers say they were willing to sell their goods with a considerable loss to obtain relief, by sales, for ready money.

Manufacturers frequently borrow money for the purposes of their trade on personal bonds, great part of that money has been called for at Whitsunday next (15th May;) and from the state of credit in Scotland, he has reason to think the manufacturers will not be able to answer these demands by borrowing on the former securities.

The manufacturers keep as little stock in their warehouses as they can, and as fashion varies he should think the mercantile interest would be more benefited by depositing the raw materials on pledge, than the manufacturer, who however might indirectly be benefited by the advance.

He certainly thinks that the paper issued on Government security, and advanced upon the deposit of goods, or other unquestionable private security, would, when properly understood, be a material

relief in the present distress of Scotland; and he has no doubt several persons might be found to concur in giving a joint security for the support of copartnerships, with perfect safety to the public.

He believes the quantity of paper circulated by the country banks has of late been considerably diminished, and their discounts on bills of exchange greatly so, since these troubles began. With regard to the Royal Bank, the circulation is nearly the same, and the assistance given to the country greatly superior to what it has given at any former period.

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In addition to these statements, your Committee, when they were on the point of concluding their report, had the opportunity of receiving farther information from Mr. Macdowal, a Member of this House, who stated, That he is representative in Parliament for the city of Glasgow, from whence he had this morning returned, and that he had there found all the commercial houses and manufactories in the greatest distress, from the late stagnation of commercial credit, and total want of private confidence.

The present distress does not appear to him to arise from a want of property or funds, but from the stop which has been lately put to discounting bills at any of the Glasgow, Paisley, or Greenock Banks, who have not for some time past discounted to any extent, from their notes being poured in upon them for gold, and from the alarm which the present situation of credit in London has occasioned.

The manufacturers have plenty of goods on hand in London and in Glasgow; which they cannot sell but at so reduced a price, as renders it perfectly absurd for them to think of disposing of their goods, in order to obtain immediate relief. The manufacturers, and those who have cotton mills, have begun to discharge the workmen employed by them during the last fortnight; and by a letter received from the Lord Provost of Glasgow by him this morning, he learns that the manufacturers have discharged a very great number of workmen. There are employed in Glasgow, Paisley, and their dependencies in different parts of Scotland, about 160,000 men, women, and children. Any relief to be administered, must be given immediately to render it effectual.

The result of the information thus obtained, confirms your Committee in the general impression which they have already stated, and seems to preclude the necessity of requiring farther evidence as to the extent of the evil, and the necessity of a remedy; and the urgency of the occasion appears to render it highly desirable to avoid all unnecessary delay.

Your Committee, therefore, think it proper to state what has occurred to them under the second head of inquiry, without detaining the House by observations of any considerable length on circumstances which appear of themselves sufficiently clear and forcible: they think it, however, material to remark, that if the present distress were confined in its effects to individuals, however they might regret the extent of private calamity, they should not consider the case as justifying an extraordinary public interposition; much less should they recommend such a measure, if the pressure had been felt only by houses of doubtful credit, or who had suffered from the consequences of rash and unwarrantable speculations; but it appears

to your Committee, that the embarrassments arising from the want of credit, have already affected houses of undoubted solidity, and sufficient ultimate resources, and that there is too much reason to apprehend, that these embarrassments may extend in a degree which no individual exertions can counteract, with sufficient expedition and certainty, to prevent consequences of the most serious national importance.

In proceeding to examine the second head of inquiry, it was on every account a great satisfaction to your Committee to have the advantage of the suggestions contained in the plan which had been delivered to the Chancellor of the Exchequer, and which has been already referred to.

On the best consideration which your Committee could give to the subject, the principal objects to be attended to in any measure for affording relief, appeared to be, to enable those who have securities ultimately good, but which would not be available till too distant a period, to receive such advances as might enable them to support the pressure to which they might be exposed in the interval. To furnish some medium of circulation, which might either directly or indirectly replace the quantity of currency suddenly withdrawn; and, by the effect of these measures, to afford such assistance to individuals as might revive confidence and credit.

Such a measure, under proper regulations, appears to be capable of producing, very rapidly, an effect far beyond the amount of the sum directly advanced, by setting at liberty, and restoring to circulation, sums to a much larger amount, which are rendered in a manner useless by the present stagnation: it appeared to your Committee, that this object could not be effectually attained but by advances issued under the authority, and resting upon the security, of the public.

In adopting such a measure, it is obviously necessary to keep in view, that the assistance to be given must be considered as merely temporary, and arising out of the very peculiar circumstances of the case, and also to establish such regulations as may prevent, as far as possible, the accommodation intended to be afforded from being applied to any persons but those who, on the one hand, stand in need of it from a real pressure arising out of the present circumstances; and on the other, can give sufficient security for the re-payment of it. The latter circumstance is entitled to peculiar attention, for the purpose of confining this accommodation to the description of persons to whom alone it can be permanently useful, or can be afforded with safety to the public.

Another consideration of equal importance is, that it should be so regulated as to furnish the opportunity to individuals to render their own exertions ultimately effectual, without at the same time giving such a degree of facility to their transactions, as might lead to a relaxation or suspension of those exertions.

The next material object which suggests itself, is to provide, as far as the nature of the case will permit, that the distribution of this assistance should be conducted in such a manner as may best secure the safe and impartial application of it.

On a consideration of the plan above referred to, it appears to your Committee, that it contains the outline of provisions adapted to all these objects; they have therefore made it the basis of the proposal

which they think it their duty to suggest to the House, and have added such observations as appear to them to be necessary, upon any of the particular points, in the order in which they occur in the plan.

With respect to the amount of the sum to be issued, the Committee are of opinion, that it will be advisable to extend it to 5,000,000*l.* instead of 3,000,000*l.* as originally suggested. They are induced to do so not only from wishing to leave a considerable latitude, in order the better to insure that the relief proposed shall be effectual, but also from having thought it right that the advances should be made on the deposit of goods in certain principal out-ports, as well as in London, and from having had under their consideration the information received with respect to Scotland.

The interest to be allowed on the Exchequer bills proposed to be issued, ought, in the opinion of the Committee, to be fixed at two-pence halfpenny per cent. per day, (being at the rate of about 3*l.* 16*s.* per cent. per annum) instead of two-pence per cent. per day, which would be only about 3*l.* per cent. per annum; and they have been informed, that the gentlemen who originally suggested the plan, concur in the propriety of this alteration. The Committee approve of the principle on which a difference has been proposed to be made between the rate of interest to be allowed on the Exchequer bills, and that of 5*l.* per cent., which, according to a subsequent part of the plan, is proposed to be paid to the Public by the parties to whom the advances shall be made; they conceive this to be expedient, not so much because the difference will furnish a fund for defraying the expence of the commission, as because it has a tendency to prevent any persons from taking advantage of this accommodation, who are not of the description intended to be assisted. The difference, however, between 3*l.* 16*s.* and 5*l.* per cent., together with the chance of some discount on these Exchequer bills, even at the increased rate of interest, seems sufficiently to secure the object last stated, without rendering the terms of the proposed assistance more disadvantageous than is desirable.

The Committee are of opinion, that the Exchequer bills should be made out in sums of 100*l.* and of 50*l.*, and possibly some proportion of them in sums of 20*l.*

The periods fixed for the discharge of the Exchequer bills, in equal proportions, appear to be highly expedient, with a view to the object before described of affording means "to individuals to render their own exertions ultimately effectual, without, at the same time, giving such a degree of facility to their transactions, as might lead to a relaxation or suspension of those exertions."

It may deserve consideration, whether some provision should not be made to enable persons to repay the sums advanced to them at an earlier period than they originally stipulated.

With respect to the appointment of Commissioners, the manner of selecting proper persons for that purpose must remain for the consideration of Parliament, if the measure in contemplation should be adopted; but the Committee are inclined to think, that the number to be appointed should not exceed twenty; and they have reason to believe that respectable persons will be found, who will give the Public the benefit of their services, without receiving any emolument.

An augmentation has been already suggested of the total amount of Exchequer bills to be issued, but an issue of one-fourth part of this augmented sum, in the first instance, instead of one-half of the sum originally proposed, may, it is conceived, be sufficient, as there will be the means of making farther issues in case of necessity.

The security on the deposit of goods, which in the plan is confined to goods actually in London, may, in the opinion of the Committee, be safely and properly extended to a few other principal ports: Bristol, Hull, and Liverpool may be sufficient in England; and Leith and Glasgow in Scotland. Subject to this alteration, the Committee agree in the propriety of confining the advances to the species of security, and in the proportion stated in the plan, for the purpose already mentioned, of confining the aid to those instances where it may be safely and usefully given.

With respect to the apportionment of the sums to be advanced, it would have been very satisfactory to the Committee, if it had appeared possible to subject it beforehand to fixed rules; but, upon the fullest consideration, they are decidedly of opinion, that, from the nature of the subject, it is impossible to frame any rules which will be found applicable to the various cases which must occur, without such a knowledge of those cases, and of the nature, circumstances, and amount of the different demands, as can only be obtained from the applications to be brought under the consideration of the Commissioners.

The nature of the securities being already fixed, and the proportion of the advances limited, the regulation of farther details must, it is conceived, be left to the judgement of the Commissioners; but it appears at the same time highly expedient, that they should be required, as proposed, to take the earliest opportunity of laying down general rules for their own guidance, which should never be deviated from in particular cases, but be subject to revision, on general grounds, as occasion may require.

The power proposed to be given to the Board, to administer oaths, ought to apply to any person who may be willing to be examined, as to any points depending before them; and a proper oath of office ought also to be taken by the Commissioners, and such of their officers as they may think fit, before they enter upon the execution of their duty.

Your Committee having thus stated the different observations which occur to them on the particular parts of the plan, they have only to recapitulate the result, which they think it their duty to submit to the consideration of the House.

First, That power be given to issue Exchequer bills to an amount not exceeding 5,000,000*l.*, in sums of 100*l.*, 50*l.*, and 20*l.*, to bear an interest of twopence halfpenny per cent. per day, and to be payable, one-fourth part on the 31st day of August next, one-fourth part on the 30th of November next, one-fourth part on the 28th of February, 1794, and one-fourth part on the 31st of May, 1794.

Secondly, That Commissioners should be appointed for the purpose of advancing these Exchequer bills, under certain regulations, for the accommodation of such persons as may apply for the same, to act without fee or reward, to take an oath for the due execution of the trust, to have power to appoint the necessary officers, to admi-

nister oaths, and to apply such sums as may be requisite for defraying the expences of executing the commission, for which purpose the Commissioners of the Treasury should advance such sums as may be necessary.

Thirdly, That immediately after the passing of the act, one-fourth part of the Exchequer bills shall be issued on the requisition of the Commissioners to the persons to whom they shall think proper to advance the same in the manner after directed.

Fourthly, That the Commissioners shall be at liberty to advance such Exchequer bills to the persons applying for the same, in equal proportions of bills, payable at the different periods before mentioned, on the security of goods to be deposited in the custody of officers, to be named by the Commissioners, in London, Bristol, Hull, Liverpool, Leith, or Glasgow, or on such personal securities of a given number of persons, as shall be satisfactory to the Commissioners, such securities to be given in a form to be prescribed for that purpose, and to be made binding on the persons giving the same, to the amount for which each person shall respectively make himself security.

These advances in no case to be more than 50l. per cent. on the value of the securities, and to be less at the discretion of the Commissioners, and to be made on condition that the sums so advanced shall be repaid with interest, at the rate of 5l. per cent. per annum, fifteen days before the date when the respective Exchequer bills shall fall due, or earlier, at the option of the parties.

Fifthly, That, immediately after the passing of the act, the Commissioners shall receive and open all such applications as shall be then made to them, specifying the amount of the advance desired, and the particulars of the security; that they shall proceed to class the said applications, according to the amount respectively applied for, the security offered, and the circumstances, situation, and connections of the parties, and shall then frame general regulations for apportioning the sums to be advanced, with a view to the points before specified, as well as to the total amount of the sum applied for, and such other considerations as they shall think material, by which regulations they shall be guided in their decision on particular cases, but which they shall be at liberty to revise on general grounds, as occasion may require; that they shall proceed to apportion and advance such part, as they shall think necessary, of the Exchequer bills then at their disposal, to an amount not exceeding 1,250,000l., as before specified; and if the applications first made shall be for less than that amount, shall, in like manner, be at liberty, from time to time, to make further advances on fresh applications.

Sixthly, That if, upon consideration of the total amount of the sums applied for, and of the nature of the applications, it shall at any time appear to the Commissioners that further advances beyond the sum of 1,250,000l. may be advisable, the Commissioners of the Treasury shall be enabled, on their requisition, to authorise the advance of any proportion of the remaining Exchequer bills, to such an amount, and at such times, as shall be found expedient; and that the Commissioners shall, from time to time, by public notice, fix the periods for receiving applications, for framing general regulations, and for apportioning the advances to be made.

Seventhly, That, on failure of repayment at the limited times of the sums advanced, the Commissioners shall be authorised to sell by



public auction so much as may be necessary of the goods on the deposits of which such sums shall have been advanced, or to proceed against the persons who have given security for the same.

Eighthly, That all the monies which shall be repaid from time to time by the parties to whom advances shall have been made, or which shall, in case of default, be recovered by the Commissioners, shall be placed in the Bank, where a distinct account shall be kept of the same; that these monies shall be applicable to pay the principal and interest of the Exchequer bills at the times limited for paying the same respectively, and the surplus, if any, after the 31st of May, 1794, shall be applicable, in the first instance, for the purpose of replacing the sums issued for defraying the expence of the commission, and the remainder as Parliament shall direct.

A P P E N D I X.

IN consequence of a meeting of gentlemen convened on Monday the 22d of April, at Mr. Pitt's house, where an opinion generally prevailed, that it would be of considerable benefit to the commercial interest of this country, if any means could be devised to revive public credit, and restore confidence :

The Lord Mayor, at the desire of the Chancellor of the Exchequer, assembled the following gentlemen the next day at the Mansion House, (who were of opinion, that the following were the outlines of a plan which would be of essential service, if carried into execution) ; viz.

Lord Mayor,	Mr. Thornton,
Alderman Anderson,	Mr. Harman,
Mr. Bosanquet,	Mr. Winthrop,
Mr. Forster,	Mr. Boddington,
Mr. Baring,	Mr. Hunter.
Mr. Chifwell,	

That Parliament should order an issue of Exchequer bills, bearing an interest of 2d. per cent. per day, to the amount of 3,000,000l., to be made out in sums of 100l. and 50l. ; one fourth to be discharged on 31st August; one fourth on 30th November; one fourth on 28th February, 1794; one fourth on 31st May:

That a Committee of proper persons be appointed in the bill to be brought into Parliament, as a Board for the management of this concern, and to lend out these Exchequer bills for the relief of the commercial part of the kingdom :

That the Lords of the Treasury do issue one half of the above Exchequer bills to the afore-mentioned Board, who shall lend the same as money, in equal proportions of each sort of the bills, to such persons as shall apply for the same, on the following securities, and under the following conditions ; viz.

As to the securities :

On goods to be deposited in the hands of the officers appointed by the Board, and which goods must be actually in London.

On securities arising from the joint concurrence of a number of persons of property uniting and subscribing for the support of any particular house or town.

As to the conditions :

That in no case more than fifty per cent. on their estimated value be advanced on any of the above securities, but less may be at the discretion of the Board ; and on the conditions that all persons applying for assistance shall be bound, besides depositing the securities, to repay to the Board the money advanced, together with interest for the same, after the rate of five per cent. fifteen days before the date of the respective Exchequer bills they may receive shall fall due.

That it shall be in the discretion of the Board to determine to how large an amount each party may be accommodated, and in determining the amount of advances, the Board to be directed by an attention to the extent of all the demands, and the nature of the trade in which each party is engaged.

That, to enable the Board to form some general standing regulations for the guidance of their minds in making this appointment, at the very first outset, it may be advisable for the Chancellor of the Exchequer, as soon as the bill shall be brought into Parliament, and shall have received the first reading, to nominate a proper person to receive all letters that shall be sent, sealed up, superscribed as containing the proposals of such parties as may wish for relief, and stating the specific securities proposed to be pledged. All these letters to be kept by him sacredly unopened ; and as soon as the bill shall have received the Royal assent, the Board to meet, and open these letters, and apportion amongst the claimants four-fifth parts of the sum which shall have been issued to the Board, and reserving the other one-fifth part to answer such occasional calls as may be made afterwards.

In case, on opening these letters, the sum thought proper to be advanced should be found to amount to a greater sum than the Board is enabled to apply, it would be advisable to give power to the Chancellor of the Exchequer, on consultation with the Board, to cause the whole or any part of the remainder of the bills, in his discretion, to be issued to the Board.

It will be necessary for the Board to employ an able solicitor to give advice, also some eminent brokers to look at the goods, and clerks to enter all their transactions, which will certainly be multifarious ; and it must also open a cash account at the Bank, into which all monies received must be paid, and which must lie there till issued to the Exchequer in discharging the bills as they become due.

The difference between the rate of interest to be paid, and what is granted on the Exchequer bills, will amply pay all these charges and any other attendant ones, and the surplus to be at the disposition of Parliament.

The Board must be authorized to administer oaths to all persons applying for assistance.

And the Exchequer bills should be framed in such a manner as to leave in blank the day on which the interest of each respectively is to commence, that the same may be filled up by direction of the Board at the time of issuing them to the Public.

If the goods are not redeemed at the time agreed on, power to be given to the Commissioners to advertise the goods to be sold at public

auction, and to proceed by regular course of law for recovery against parties associating under the second head of securities.

A clause in the bill to be inserted to facilitate and expedite the transfer of property, cutting short the matter of form, and Commissioners to execute their charge without any fee or reward; but some money must be issued from the Exchequer to pay expenses in the first instance, and Commissioners should be invested with full discretionary power.

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**TREATY** between his Britannic Majesty and the King of Sardinia. Signed at London the 25th of April, 1793.

**THEIR** Majesties, the King of Great Britain and the King of Sardinia, finding themselves engaged in a war against France, in consequence of the most injurious acts of violence and aggression which they have respectively experienced from that country, their above-mentioned Majesties have agreed to make a common cause in this war, and to concert together on the means of providing for their mutual defence and safety, as well as for the general interests of Europe.

Their above-mentioned Majesties, in consequence, have named and constituted for this purpose, to wit, his Britannic Majesty, the most illustrious and most excellent Lord William Wyndham, Baron Grenville of Wotton, Privy Counsellor of his before-named Majesty, and his principal Secretary of State for the foreign department; and his Sardinian Majesty, the most illustrious and most excellent Lord Philip de St. Martin, Count de Front, Gentleman of the Chamber to his said Majesty, Colonel of Cavalry and Dragoons, and his Envoy Extraordinary to his Britannic Majesty; who, after having duly communicated their respective powers, have agreed upon the following articles:

**Art. I.** His Sardinian Majesty engages to keep on foot, during the whole course of the present war, an army of fifty thousand men, to be employed for the defence of his dominions, as well as to act against the common enemy: his Britannic Majesty engaging, on his side, to send into the Mediterranean a respectable fleet of ships of war, to be employed, accordingly as circumstances shall permit, against the naval forces which the enemy may have in that part of the world. Their before-named Majesties will ultimately concert as to the destination and employment of the respective forces above mentioned.

**Art. II.** His Britannic Majesty engages to furnish to his Sardinian Majesty, during the whole course of the war, a subsidy of two hundred thousand pounds sterling per annum, to be reckoned from the day of the signature of the present treaty; which subsidy shall be paid to him punctually every three months in advance, to be reckoned from the above day.

**Art. III.** His Britannic Majesty engages not to conclude a peace with the enemy, without comprehending in it the entire restitution,

to his Sardinian Majesty, of all the parts of his dominions which belonged to him at the commencement of the war, and of which the aforesaid enemy has obtained possession, or of which it may hereafter obtain possession during the course of hostilities. In return, his Sardinian Majesty will continue firmly and inseparably united and attached to the common cause, and to the interests of his Britannic Majesty, in this war, not only for so long time as the war may last in Italy, or in the southern parts of Europe, but until the conclusion of peace between Great Britain and France.

Art. IV. If one or other of the two high contracting parties shall happen to be attacked, molested, or disturbed in any of his estates, rights, possessions, or interests, at any time, or in whatever manner it may be, by sea or by land, in consequence or in resentment of the articles or stipulations contained in the present treaty, or of the measures to be taken by the said contracting parties by virtue of this treaty, the other contracting party engages to succour him, and to make common cause with him, in the manner which is stipulated by the above articles.

Art. V. The present treaty shall be ratified by both parties, and the exchange of the ratifications shall take place in the space of two months, or sooner if possible.

In faith of which, we, the undersigned Ministers Plenipotentiary of their Majesties the King of Great Britain and the King of Sardinia, have signed this present treaty, and have caused to be affixed thereto the seal of our arms.

Done at London, this 25th day of April, 1793.

GRENVILLE. (L. S.)

S. MARTIN DE FRONT. (L. S.)

CONVENTION between his Britannic Majesty and the Empress of Russia. Signed at London the 25th of March, 1793.

THE persons who have exercised the power of Government in France, after having plunged their own country into the most dreadful miseries, having adopted towards the other powers of Europe measures equally unjust and offensive, conducting themselves in that respect by principles incompatible with the security and tranquillity of all independent states, and even with the existence of all social order; and having actually rendered themselves guilty of the most unjust and injurious aggression, by laying an embargo on all the British and Russian ships which were in the ports of France—an aggression followed by a declaration of war against his Britannic Majesty, and his ally the Republic of the United Provinces; their Majesties the King of Great Britain, and the Empress of all the Russias, have thought proper to concert together upon the means of opposing a barrier to the dangers which threaten all Europe in consequence of such principles, views, and conduct.

Their Majesties have, therefore, authorised their respective Ministers, to wit, the King of Great Britain, the most illustrious and most excellent Lord William Wyndham, Baron Grenville of Wox-

son, one of his Majesty's Privy Council, and his principal Secretary of State for the department of foreign affairs; and her Majesty the Empress of all the Russias, the most illustrious and most excellent Lord Count Simon de Woronzow, Lieutenant General of her Imperial Majesty's armies, her Envoy Extraordinary and Minister Plenipotentiary to the King of Great Britain, and Knight of the orders of St. Alexander Newsky, of the military order of St. George of the third class, and of St. Vladimir, Grand Cross of the first class; who, after having communicated to each other their respective full powers, have agreed to the following articles:

Art. I. Their Majesties, in conformity to the ancient ties of friendship by which they and their august predecessors have been united, and which they are desirous of cultivating and extending as much as possible, will exert all their endeavours, and will concert together ultimately for assisting and succouring each other mutually, in the course of the present war, in order to procure for themselves, at the peace, that satisfaction and security which they have a right to expect, and to guarantee for the future the public tranquillity and security of Europe.

Art. II. For this end, their Majesties engage to employ their respective forces, as far as the circumstances in which they may find themselves shall permit, in carrying on the just and necessary war in which they are engaged against France; and they reciprocally promise not to lay down their arms, but by common consent, without having obtained restitution of all the conquests which France may have made upon either of their said Majesties, or upon such other of the powers, friends or allies of their said Majesties, to whom they shall judge proper to extend this guarantee by common consent.

Art. III. Their said Majesties reciprocally engage to shut all their ports against French ships, not to permit the exportation, in any case, from their said ports for France, of any military or naval stores, or corn, grain, salt meat, or other provisions; and to take all other measures in their power for injuring the commerce of France, and for bringing her, by such means, to just conditions of peace.

Art. IV. Their Majesties engage to unite all their efforts to prevent other powers, not implicated in this war, from giving, on this occasion of common concern to every civilised state, any protection whatever, directly or indirectly, in consequence of their neutrality, to the commerce or property of the French, on the sea, or in the ports of France.

Art. V. Their Majesties, desiring mutually and ardently to confirm and consolidate, as much as possible, the friendship and union now subsisting between them, and to protect and extend the commerce between their respective subjects, will authorise their Ministers to proceed, without delay, to the formation of a definitive arrangement for a treaty of alliance and commerce. In the mean time, and until that happy work can be effected, they have agreed to renew, provisionally, the treaty of 1766, by a preliminary agreement of the same date with this Convention, and exchanged in like manner between the above-mentioned Ministers.

Art. VI. His Britannic Majesty, and her Imperial Majesty of all the Russias, engage to ratify the present Convention; and the

ratifications thereof shall be exchanged in the space of three months, or sooner if it can be done, to be computed from the day of the signature.

In witness whereof, we, the undersigned Plenipotentiaries of their Majesties the King of Great Britain and the Empress of all the Russias, have signed the present Convention, and have caused the seals of our arms to be affixed thereto.

Done at London, the 25th day of March, 1793.

GRENVILLE. (L. S.)

S. COMTE WORONZOW. (L. S.)

CONVENTION between his Britannic Majesty and the Empress of Russia. Signed at London the 25th of March, 1793.

THEIR Majesties, the King of Great Britain and the Empress of all the Russias, equally convinced of the importance and advantage to the two monarchies of the extension of the commerce which has hitherto subsisted between their respective subjects, have acknowledged the necessity of immediately providing for this object by preliminary stipulations, till a definitive arrangement for a treaty of commerce can be agreed upon between the two Crowns. For this purpose, they have chosen and authorised, viz. his Britannic Majesty, the most illustrious and most excellent Lord William Wyndham, Baron Grenville of Wotton, one of his Majesty's Privy Council, and his principal Secretary of State for foreign affairs; and her Majesty the Empress of all the Russias, the most illustrious and most excellent Lord Count Simon Woronzow, Lieutenant General of the armies of her said Imperial Majesty, her Envoy Extraordinary and Minister Plenipotentiary to his Britannic Majesty, and Knight of the orders of St. Alexander Newsky, of the military order of St. George of the third class, and of St. Vladimir, Great Cross of the first class; who, after communicating to each other their full powers, and finding them to be in good and due form, have agreed upon the following articles:

Art. I. The treaty of friendship, commerce, and navigation, concluded at St. Petersburg in the year 1766, between the two monarchies, shall resume its force and activity, which shall continue, in all the clauses and stipulations, during the space of time hereafter fixed; and the two high contracting parties engage to employ themselves, in the interval, in the arrangement of a new treaty of commerce, for the purpose of securing, in a permanent manner, whatever may tend to consolidate and to extend the commerce and the navigation of the British and Russian subjects. In consequence whereof, his Britannic Majesty, and her Majesty the Empress of all the Russias, engage and promise reciprocally to execute, observe, and accomplish, in all points, the above-mentioned clauses and stipulations of the treaty of commerce of the year 1766, as if they were inserted here word for word, and in the same manner in which they were executed, observed, and accomplished, before the year 1787, being the date of the expiration of the said treaty, with ex-

ception only of those alterations which are agreed upon by the present act, and which will be mentioned in the following articles :

Art. II. The College of Commerce being no longer a court of justice, lawsuits and other affairs of English merchants, established in Russia, shall be judged and regulated by the tribunals established for this purpose, in the same manner as is practised with regard to other nations who have treaties of commerce. In return for which, the Russian subjects, established in England, shall be under the jurisdiction of the same tribunals before which the affairs of other nations are brought, who have treaties of commerce with England.

Art. III. Her Imperial Majesty of all the Russias, in continuation of the encouragement which she has uniformly granted, in her states, to the commerce and navigation of British subjects, engages that they shall enjoy, in her ports on the Black Sea, and the sea of Azoph, all the advantages and diminutions of custom-house duties which are specified in the 6th article of the edict preceding the general tariff of the year 1782, and which is of the following tenor :

“ Although this general tariff is to serve also for all our ports situated on the Black Sea, and the sea of Azoph, we however diminish in the said ports, by one-fourth part, the duties fixed in this tariff, in order to encourage commerce for the utility of our subjects, and of the nations with which we shall stipulate reciprocal advantages in this respect, in compensation for the privileges which those nations shall grant to our commerce, excepting, however, from this diminution, the merchandize specified by name in the present tariff, as liable to pay the same duties in the ports of the Black Sea, as in the other custom-houses of our empire, as also those for which the present tariff fixes particular duties in the ports of the Black Sea.”

Art. IV. The present arrangement of commerce, on which their Majesties the King of Great Britain and the Empress of all the Russias, are agreed, and by which they confirm the whole of the treaty of 1766, the alterations above agreed upon excepted, shall subsist and be obligatory during the space of six years, this term being fully sufficient for coming to a definitive agreement on all the stipulations of a new treaty of commerce, calculated to perpetuate and to extend the advantages of their respective subjects. The high contracting parties engage, in consequence of this act, to provide, in the most effectual manner, and according to the forms established in each of the two countries, for the entire execution of all that is stipulated, without the least restriction.

Art. V. His Britannic Majesty, and her Imperial Majesty of all the Russias, engage to ratify the present act ; and the ratifications thereof shall be exchanged within the space of three months, or sooner, if it can be done, reckoning from the day of signature.

In witness whereof, we, the undersigned Plenipotentiaries of their Majesties the King of Great Britain and the Empress of all the Russias, have signed the present Convention, and have caused it to be sealed with our arms.

Done at London, the 25th day of March, 1793.

GRENVILLE, (L. S.)

S. COMTE WOROZOW, (L. S.)

**TREATY between His Britannic Majesty and the Landgrave of Hesse Cassel. Signed at Cassel the 10th of April, 1793.**

BE it known to those whom it may concern, that His Majesty the King of Great Britain, and his Serene Highness the Landgrave of Hesse Cassel, in consideration of the strict ties which unite the interest of their respective Houses, and having judged that, in the present situation of affairs, it would contribute to the reciprocal welfare of Great Britain and of Hesse, to cement and strengthen, by a new treaty of alliance, the connection which subsists between them, his Britannic Majesty, in order to regulate the objects relative to this alliance, has thought proper to send to Cassel the right honourable Thomas Earl of Elgin and of Kinkardine, Baron Bruce of Kinross, his Minister Plenipotentiary; and his Serene Highness has nominated, on his part, for the same purpose, the Baron Maurice Frederick, of Munchausen, his actual Minister of State, Privy Counsellor, and Knight of the Order of the Golden Lion, and his Director of the College and Treasury of War; and John Francis Kunkel, Privy Counsellor of War; who, being furnished with the necessary full powers, have agreed to take for basis of the present treaty, the treaties which were formerly concluded between Great Britain and Hesse, to adopt such parts of them as may be applicable to the present circumstances, or to settle by new articles those points which it may be necessary to regulate otherwise. Every thing, which shall not otherwise be settled, shall be deemed subsisting in full force, in the manner expressed in the above-mentioned treaties; and as it is not possible to specify each particular case, every thing which shall not appear to be determined in a precise manner, either in the present treaty, or in the former treaties, shall be settled with equity and good faith, in conformity to the same principles, which it is agreed on both sides to adopt, for the regulation of such cases, whether during the course of the war, or after its conclusion.

Art. I. There shall be therefore, in virtue of this treaty, between his Majesty the King of Great Britain, and his Serene Highness the Landgrave of Hesse Cassel, their successors and heirs, a strict friendship, and a sincere, firm, and constant union, so that the one shall consider the interests of the other as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

Art. II. With this view, it is agreed, that all the former treaties, especially those of guarantee, shall be deemed to be renewed and confirmed by the present treaty, in all their points, articles, and clauses, and shall have the same force, as if they were herein inserted word for word, in as much as the same is not derogated from by the present treaty.

Art. III. His Majesty the King of Great Britain, desiring to secure for his service in Europe a body of the troops of the Serene Landgrave, and his Serene Highness, wishing for nothing more than to give his Majesty real proofs of his strong attachment for him, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present treaty, a body of eight thousand men, as



well infantry as cavalry, or chasseurs, including officers. This corps shall be completely equipped, furnished with tents, and all necessary equipage; in a word, shall be put upon the best possible footing, and nobody shall be admitted into it but men capable of serving, acknowledged as such by the Commissary of his Britannic Majesty. This corps shall march in two divisions: the first, consisting of four thousand men, shall be composed of a corps of infantry with the artillery men, and of a regiment of cavalry. Formerly, the signature of treaties preceded, for some time, the period of the requisition for the march of the troops; but as, in the present circumstances, there is no time to be lost, the day of the signature of the present treaty is deemed to be also the period of the requisition, and the first division of four thousand men shall be in readiness to pass in review before the Commissary of his Britannic Majesty on the 8th of next month, and to begin its march the following day for the place of its destination. The second division, consisting also of four thousand men, and composed of a corps of infantry, of a battalion of chasseurs, and of two regiments of cavalry, shall be in readiness to pass in review the 5th of June, and shall be ready to march in eight weeks from the day of the conclusion of the present treaty, or even sooner, if it is possible. These troops shall not be separated, unless the cause of war should require it, but shall continue under the orders of their Hessian chief, under the command, however, of the General to whom his Britannic Majesty shall entrust that of his whole army; and the second division shall only be conducted to those places where the first shall be, unless it should be contrary to the plan of operations.

Art. IV. Each battalion of infantry of this corps of troops shall be provided with two field pieces, and the officers, cannoneers, and other men and equipage attached to them.

Art. V. In order to defray the expences to which the Serene Landgrave shall be put, by equipping the above-mentioned corps of eight thousand men, his Majesty the King of Great Britain promises to pay to his Serene Highness, for each horseman or dragoon properly armed and mounted, 80 crowns banco, and for each foot soldier 30 crowns banco. This levy money for the first division shall be paid fifteen days after the signature of the present treaty. With regard to the levy money for the second division, one half thereof shall be paid on the 8th of next month, and the other half on the day on which the second division shall begin its march. The levy money shall be paid for the same description of persons for whom it was given in the former alliances.

Art. VI. Besides what is stipulated in the preceding article, his Majesty the King of Great Britain engages to cause to be paid annually, during the three years that this treaty shall last, a subsidy and an half, fixing the sum according to the custom established for the subsidies in the former treaties. This subsidy shall commence from the day of the signature of this treaty, and it shall be paid at the rate of two hundred and twenty-five thousand crowns banco per annum, the crown being reckoned at fifty-three sols of Holland, or at four shillings and nine pence three farthings English money.

When the said troops shall be sent back by his Britannic Majesty, from the day of their return into the territories of his Serene Highness, till the expiration of the treaty, the subsidy shall be continued

upon the same footing of 225,000 crowns banco per annum. The payment of this subsidy shall be regularly made without any deduction, and quarterly, in the town of Cassel, into the military treasury of the Serene Landgrave authorised to receive it: and in case, on either side, it should be judged expedient that the number of the corps of troops should exceed eight thousand, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments during the remainder of the month in which it shall re-pass the frontiers of Hesse, and arrive in the territories of his Serene Highness, that is to say Hesse, properly so called.

Art. VII. With regard to what relates to the pay and allowances, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain, it is agreed, that, as long as they shall serve in the empire, they shall enjoy the same advantages and emoluments which his Majesty grants to his German troops, according to the effective establishment of the said corps of troops at the time of their being delivered, which shall be verified by a list signed by the respective Ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present treaty. During the time that they shall be employed in the Low Countries, they shall be treated in the above-mentioned respect, upon the footing of Dutch troops; it being understood that in both cases, that is to say, in that of the German pay, as well as in that of the Dutch, the allowances shall not be inferior to what was granted in former wars; and, if the nature of the war should require that those troops should serve in different countries upon the Continent of Europe from those above mentioned, they shall, in that case, be put, in every respect, on the same footing with the most favoured of his Majesty's auxiliary troops.

If it shall happen that they should be employed in Great Britain, or in Ireland, as soon as the notification, in such case, shall be made to the Serene Landgrave, they shall be put on the same footing, in every respect, as the national British troops.

All these allowances for those troops shall be paid into the military treasury of his Serene Highness, without any abatement or diminution, in order to be distributed.

Art. VIII. If it should unfortunately happen that some regiments or companies of the corps above mentioned should, by any accidents, be wholly or partially ruined or destroyed, or that the pieces of artillery or other effects, with which it may be provided, should be taken by the enemy, his Majesty the King of Great Britain will pay the expences of the necessary recruits and remounting, as also the value of the said field artillery and effects, in order speedily to restore the artillery, regiments or companies to their former state: and those recruits shall likewise be put upon the same footing as those which were furnished to the Hessian officers, in virtue of the fifth article of the treaty of 1702, in order that the corps may be always preserved and sent back hereafter in as good state as that in which it was delivered; and the recruits annually necessary shall be delivered to the English Commissary, disciplined and completely equipped, at the place of their destination, at the time which his Britannic Majesty shall appoint.

Art. IX. It will depend upon his Britannic Majesty to retain this corps of troops in his service all the time of the duration of this treaty, to make use of them in any part of Europe where he may have occasion for them, provided it be not on board the fleet, from the time of its quitting the territories of the Serene Landgrave; and when his Majesty the King of Great Britain shall think proper to send back the said troops, he shall give three months previous notice to his Serene Highness, and shall make him an allowance of a month's pay for their return, furnishing them also with the necessary means of transport, gratis.

Art. X. His Britannic Majesty promises to attend, as much as possible, to the safety of the dominions and possessions of his Serene Highness, and to direct the military operations, as much as circumstances may permit, in such manner that the country of his Serene Highness may be covered and spared as much as possible. If, however, notwithstanding the precautions which shall be taken with that view, the country of his Serene Highness should be invaded by the enemy, on account of this alliance, and the present treaty, his Britannic Majesty shall endeavour to procure to the country of his Highness the Landgrave an indemnification proportionable to the loss occasioned thereby, according to what has been formerly done on similar occasions.

Art. XI. The sick of the Hessian corps shall remain under the care of their own physicians, surgeons, and other persons appointed for that purpose, under the command of the General commanding the corps of those troops, and every thing shall be granted to them which is granted to his Majesty's own troops.

Art. XII. All Hessian deserters shall be faithfully restored, as often as they shall be discovered in places dependent upon his Britannic Majesty.

Art. XIII. In consideration that the article of recruiting becomes daily more expensive in Germany, on account of the numerous armies which are there kept on foot, and that the vacant pay is regarded as the principal fund to defray that expence, it is agreed, that, at the review to be made in spring, at the beginning of the campaign, by the Commissary of his Britannic Majesty, the corps ought to be complete, or the pay of those wanting to complete shall be retained; on the other hand, the pay of those who may be wanting from one spring review to the next, shall not be retained, but shall be allowed without abatement, as if they were complete; and, instead of what was formerly paid for recruiting, in the room of one killed or three wounded, it is agreed, that, without distinction, each man furnished shall be supplied at the rate of twelve crowns banco a head, under the express condition, however, that what is here agreed on, shall only regard the recruiting, which is the object in this article.

Art. XIV. All the expences of transport for the troops, as well for the men as for their effects, shall be defrayed by his Britannic Majesty.

Art. XV. The situation of affairs having entirely changed its aspect since the commencement of this negotiation, it is stipulated, that if his Britannic Majesty should find that he has not, in the present moment, occasion for the above-mentioned corps of troops, and that his Majesty should countermand their march before the term fixed for the

review of the first division ; in that case, his Majesty shall be bound to pay to his Serene Highness the levy money for the whole corps of 8000 men, and a double subsidy, for one year only ; that is to say, 300,000 crowns banco, which shall be instead of the different stipulations contained in the above fourteen articles. The payment of the levy money shall, in such case, be made on the 8th of next month, and that of the subsidy in quarterly payments, in one year, reckoning from the date of the signature of the present treaty. But it is expressly agreed, that, in the mean time, this article shall in no degree suspend either the preparations or the payments, which it has been agreed on each side to make.

Art. XVI. This treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible. In witness whereof we, the undersigned, authorised by the full power of his Majesty the King of Great Britain on one side, and of his Serene Highness the reigning Landgrave of Hesse Cassel, on the other, have signed the present treaty, and have thereto put the seals of our arms.

Done at Cassel, the 10th of April, 1793,

ELGIN, (L. S.)

MAURITZ FRED. B. DE MUNCHAUSEN, (L. S.)

JEAN FRANÇOIS KUNCKELLS, (L. S.)

THE END.

